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THE
CANONS AND DECREES
OF THE
SACRED AND CECUMENICAL
COUNCIL OF TRENT,
CELEBRATED UNDER THE
SOVEREIGN PONTIFFS, PAUL III., JULIUS III., AND PIUS IV.
TRANSLATED
BY THE REV. J. WATERWORTH.
TO WHICH ARE PREFIXED
ESSAYS ON THE EXTERNAL AND INTERNAL
History of the Council.



LONDON:
C. DOLMAN, 61, NEW BOND STREET.

MDCCCXLVIII.

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TO THE

RIGHT REVEREND N. WISEMAN, D.D.,

BISHOP OF MELIPOTAMUS, AND PRO-VICAR APOSTOLIC

OF THE LONDON DISTRICT,

THIS WORK IS, BY PERMISSION, RESPECTFULLY DEDICATED,

BY HIS LORDSHIP'S

HUMBLE AND OBLIGED SERVANT,

THE EDITOR.

ST. JOHN'S

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PREFACE.

MANY years have elapsed since the Editor of this work formed the design of publishing a translation of the General Councils. The advantage, or necessity, of studying the Councils, as one of the chief records of the faith, morals, and discipline of the Church; as the main basis and exponents of canon law; as containing much of the history of the Church and of heresy; and finally, as forming part of that deposit of doctrine and practice, which so many are called upon to receive in the Profession of Faith of Pius IV.; furnished motive enough to regard the undertaking as one of importance and general utility. And it was also thought, that a work of this class would be acceptable and advantageous, not only to the ecclesiastical student, but also to all who may wish to make themselves acquainted with the real doctrines of the Catholic Church, as stated and defined, not by individuals, but by her assembled prelates, secured from error, in matters of faith, by the promised assistance of the Holy Spirit, when thus representing in Council the entire Church of God.

The Council of Trent has been first prepared for press, because that Council is of more immediate use for the present times; as the errors of the Innovators of the sixteenth century are there condemned, and the Catholic doctrine is there also

stated, on the chief points which still unfortunately separate so many from our communion; and also because the decrees of discipline and reformation, published by that Council, embody the leading principles of Canon Law, by which the government and polity of the Church are, in a great measure, now regulated.

This latter consideration weighed much with the Editor, in inducing him to proceed at once, with this last of the General Councils. The times were said to be ripe for a restoration, in this country, of the ordinary discipline of the Church, as regards bishops and clergy; or, at all events, it appeared to many, that the day could not be far distant, when such a consummation must be looked for; and when, therefore, it would become, or was becoming, necessary, to enable all, readily and easily, to study the true duties and rights which they would, perhaps soon, be called upon to exercise.

It only remains to notice such details, in the execution of the work, as may be thought likely to interest the reader.

1. The edition of the Council used, is Le Plat's copy^(*) of the authentic edition, published at Rome in 1564.

2. Neither time, nor labour, has been spared to render the translation as faithful a transcript as possible of the original; the most minute accuracy being essential to the value of a work of this character. Hence, the translation will be found to be a literal, and, as far as was attainable, a *verbatim* representation of the words of the Council; and where those words seemed, either susceptible of a somewhat different rendering, or to convey some slight shade of meaning not capable of being reproduced in our language, they have been uniformly placed in the margin.

(*) Antwerp, 1779. This edition is very valuable, on account of its vast mass of various readings; and the catalogues of the Fathers present at the Sessions. Two of those lists will be found in an Appendix at the close of this volume.

3. Many notes, and especially numerous references to previous Councils, had been prepared, to elucidate the meaning of the Council; but, after much reflection, they have been, almost entirely, suppressed; for fear of infringing on a wise and extensive prohibition, issued in the Bull of Confirmation, against glosses, and other such attempts at illustrating the decrees of the Council. Such, then, is the general character, or what it has been the Editor's endeavour to render the character, of this the first translation^(b) of the Council of Trent into the English language; but should any passage, or word, be discovered, or be thought, to be less accurately translated, than might be wished, the translator will feel grateful to have the place pointed out to him, that he may give the suggested emendation a candid consideration, and adopt it if advisable.

4. To the canons and decrees are prefixed two historical essays. The first of those pieces treats of the causes and events which immediately preceded and occasioned the convocation of the Council; whilst the second essay is a connected narrative of the proceedings of the assembled prelates and theologians, preparatory to each Session. The one gives the history of the times; the other of the Council; and the second especially will, it is believed, be found useful in elucidating many phrases and canons, and in fixing the meaning of passages and decrees which might labour under some obscurity, if considered only as they stand in the text. In fact, without an intimate acquaintance with the debates in the congregations, which prepared for and preceded the public Sessions, it would be difficult, or impossible, to form a just and an accurate judgment on the form of words

(b) An anonymous translation appeared in 1687; but it is so unfaithful and even ludicrously absurd, that it must be regarded rather as a burlesque, than a translation, of the decrees.

used in several of the most important decrees, especially of discipline and reformation.

5. In compiling both the external and internal history of the Council of Trent, continued use has been made of the noble work of Pallavicino ;^(c) and as nearly all the leading facts and statements are derived from that authentic record, it has not been thought necessary to load the margin with references ; almost every important circumstance, narrated in the essays, being capable of being confirmed by reference to that work.

J. WATERWORTH.

NEWARK, *May 22nd*, 1848.

(c) *Istoria del Concilio di Trento*, Roma, 1657.

HISTORY

OF

THE COUNCIL OF TRENT.

Part First.

CHAPTER I.

Introduction, object of.—Fra Paolo's and Pallavicino's histories of the Council of Trent.—Luther.—State of the Church.—Julius II.; Pisa and Lateran; the Pontiff's wars and expenses.—Resolves to rebuild the Vatican Basilica.—Proclaims an Indulgence.

In the following pages, it is not merely intended to sketch an outline of those events which preceded and led to the convocation of the Council of Trent; to trace its outward progress and the obstacles which it encountered when summoned; but the object of the writer will also be, to furnish such observations and facts as may serve to illustrate many of the canons and decrees which form the present volume. This Introduction, therefore, will be as much occupied with the internal, as with the external history of the Council; as much with phrases and their history, as with facts; though the limits of such an essay will require that both be touched briefly and rapidly.

A detailed history of the Council would, indeed, be a valuable addition to our English literature. Yet, though the English version of Fra Paolo's skilful, but unfair, representation of that important event, is of easy access to the English reader, and though his statements have been copied by a host of servile followers; the laborious and authentic history by Pallavicino has neither been made

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accessible by translation, nor has the substance of it been presented in the more pleasing form of an original narrative, based on his minute investigation of the records and acts of the Council, and of the writings and letters of the eye-witnesses of this last, but, perhaps, most important, of the General Councils of the Church. This is the more to be wondered at and lamented, when we reflect, that the defection of Luther, and the rapid diffusion of his opinions or principles,—gathering in their course not individuals only, but whole cities and states, and threatening in turn almost every nation of Christendom,—are events, not only of great interest and importance in themselves, as filling one of the most curious pages in the history of religion, at a time when causes of unexperienced and vast power and magnitude gave an almost unexampled impulse to the human mind; but are, in their consequences, events so deeply felt and active, even in our days, that we see them influencing, more or less, and in various forms, the opinions, the practice, and the destiny of whole nations, even after the expiration of more than three hundred years.

But we must proceed, at once, from these wider views, to the more limited sketch before us; and, as the early history of Luther may be found, in sufficiently correct detail, in any of the numerous records of his chequered life, we will begin at that part of his career which has direct reference to the events which it is our immediate object to depict.

It was not till the year 1517, that is, when Luther was thirty-four years of age, and eleven years after his profession as an Augustinian monk, that any proposition actually opposed to the faith, or practice, of the Church emanated from his pen. There was, at that time, a profound peace throughout the Western Church. Hardly a remnant of any of the ancient heresies disturbed the general tranquillity: a few obscure and uneducated followers of the errors or impieties of the Vaudois, and here and there an adherent of Wickliff, were the only dissenters from the

Church. The schism, that had convulsed the Church under Julius II., had been happily terminated by the death of that Pontiff; his successor, Leo X., had suppressed the Synod of Pisa; concluded and secured the acceptance of the Council of Lateran; and received the submission of the schismatic Cardinals, and that of their supporter, the French King, Louis X. But, in the midst of this tranquillity, the Church still felt the trembling agitation produced by those events; some of the demands and professed objects of the Synod of Pisa,—which was, after all, but a faint type of the Councils of Constance and Basil,—were rather suppressed and smothered under the schismatical character of that assembly, than settled and satisfied; so that, though the ecclesiastical reformation which it demanded, by being sought for in an improper manner, was not only not accomplished, but was rendered suspicious even, in the eyes of many; yet was it evident, that the evils complained of must be encountered, and a searching remedy applied, at no distant period, to the abuses that had crept into ecclesiastical government; to the rank vices engendered by ages of civil and unsparing wars; and to that license and confusion which a convulsed state of society uniformly creates in the discipline and outward character of the Church.

Moreover, the continued wars of Julius had not only exhausted the Papal treasury, but had forced him to have recourse to extraordinary methods of raising money from the various Christian nations; and when, in his declining years, he resolved to rebuild the Basilica of St. Peter, in a style of magnificence, suited to his own character, and to the dignity of that Apostle, he had not only himself, in order to raise the necessary and enormous supplies, to employ agents and means but little suited to the spirit of the times; but he left a similar legacy to his successor; who soon saw that there was no other resource left him, than to have recourse to a similar agency.^(a) The gor-

(a) Pallavicino, T. I. L. I. c. ii

geous designs of Bramante were in exact accordance with the spirit of Leo; whose ideas of splendour, and whose recklessness of expense exceeded, if possible, those of his predecessor; and the newly elected Pontiff soon found himself, like that predecessor, compelled to apply for the alms of the faithful, in order to carry out the splendid project; to complete, that is, such an edifice, as seemed to him alone worthy of the centre of Christianity and the ancient mistress of the world. Surrounded as he was with the brightest ornaments of his age, as far as secular learning is concerned, he had not, as yet, promoted, in an equal degree, the more solid parts of learning which were needed by his position; so that there were few around him, either to warn him of the danger of the step which he was about to take, or when it was taken, to defend his interests, and those of the Church, against the opposition which it created, and the perverted use which was soon made of the abuses, caused by the cupidity and mismanagement of the Questors.^(b)

CHAPTER II.

Leo X. proclaims an Indulgence.—Agents; and object.—Luther's opposition.—His letter to the Archbishop of Mainz.—His theses.—Tetzel's reply burnt at Wittemberg.—Eck.—Prierio.—Maximilian's reference to Rome.—The Elector of Saxony.

We have said that Leo but followed the example of Julius, in offering certain spiritual privileges, under the name of an Indulgence, to those who should lend their aid towards building the Vatican Basilica. This fact deserves attention, as it removes a popular prejudice on this subject, —that Luther's opposition originated in Leo's deviation

(b) *Ib.* L. c.

from the custom of consigning such Indulgences solely to the Augustinians. Julius, in fact, had commissioned Girolamo Torniello, a Vicar General of the Minor Observants, and through him the Franciscans of his vicariate, to preach and recommend this indulgence to the faithful; confining it, however, to the twenty-five provinces comprised within the jurisdiction of that Prelate. Upon the death of his first agent, which took place in 1508, the Pontiff delegated in his stead, in 1510, Francesco Zeno, who had succeeded Torniello in his authority as a Religious.^(c) The term of this indulgence was originally limited to a year, but was afterwards enlarged, and made revocable at pleasure; and it had the same object in view as that promulgated by Leo,—the obtaining of alms towards rebuilding the Vatican Church.

It has been often asserted, that the opposition of Luther arose from the farming out of this grant; and especially because this commission was given, in Saxony, contrary to the usual custom, to the Dominicans. Both these suppositions seem devoid of truth. For Luther nowhere assigns this farming out of the Indulgence by Leo,—in conformity with previous usage, and a not unfrequent method of levying taxes in certain states,—as a cause of his opposition, nor does Sleidan make any such representation for him; and we have already seen that Julius had employed the Franciscans to disseminate his Indulgences; whereas the Teutonic Knights had, about the same time, made use of the services of the Dominicans.

It is also to be remarked, that the Indulgences were not, as is commonly said, promulgated by Leo, for the Christian world, but for various specified districts only; that those Indulgences were of various kinds and of different tenor; and further, that the letters Apostolic granting them were expedited, if not wholly, at least for the most

(c) Upon the death of Zeno, various other Franciscans were employed. For their names, and other particulars, and the extension of the Indulgence to the Swiss cantons, see Pallav. L. c.

part, in the year 1514, and the early part of 1515, and promulgated in 1516; whereas Luther's opposition did not openly begin, until the year 1517. Neither is it to be omitted, that the appointment of any Religious Order as his agents, in Germany, was not the work of Leo. That Pontiff selected, as his delegate, Albert of Brandenburg, archbishop-elect of Mainz, and bishop of Magdeburg; who consigned the promulgation to John Tetzel, a Dominican, who had been successfully employed by the Teutonic Knights, for a similar purpose.

There seems, however, no doubt, that the Augustinians, though not deprived of a privilege which they had a prescriptive right to expect, were disappointed, and otherwise disposed, from some unknown cause, to cavil, and look with a watchful eye, at the proceedings of the Dominicans; and to condemn any excesses, into which their zeal, or covetousness, might drive them.^(d)

Having thus corrected the usual misstatements as regards the Indulgences promulgated by Leo, we have to return to Luther, who had, in his character as professor of Philosophy at Wittenberg, already begun to show a disposition to change and to dogmatize. He had conceived a disrelish for the prevailing philosophy of Aristotle, and the scholastic system of St. Thomas; and burning already, it is said, though for what cause does not seem clear, with a fierce hatred against the court of Rome, he was eager and able to seize on the reputed exaggerations of Tetzel and his compeers, in the matter of Indulgences, to vent his bile against a rival order, and through them against the Roman court; to obtain notoriety for himself; to indulge his humour for novelty; and to appear in the attractive character of a zealot and a reformer. Luther's character is impressed on almost every page of his writings, and on the great events of his life. To considerable learning, acquired by patient study under able masters, he united great intrepidity, fertility of resource, singular readi-

(d) For the above details, see Pallav. L. 1. c. iii.

ness of plain but nervous language and metaphor ; fondness of applause, coupled with an unbounded love of self and of authority, which burst forth almost into frenzy against those of his party who dared oppose him ; and above all a truculent ferocity of abuse, which, throughout his whole career, he heaped, without consideration of eminence of rank, or person, or character, upon every foe, or former friend.

Luther began his opposition to Indulgences, in private discourses and public sermons ; instigated to this, it is said, by certain superiors of his Order ;^(e) professing his abhorrence of the avarice of Rome ; and magnifying his own love of truth,—though, in his letters,^(f) he himself, years afterwards, acknowledges, that he was not actuated in the least by those motives, but solely by hatred of the Roman court.

He next proceeded to more open remonstrance ; and addressed a letter to the archbishop-elect of Mainz ; representing to him, that the Questors were reported, for of himself he knew nothing, to be falsely proclaiming to the people, in order to increase the value of their Indulgences, that, let them but give their alms abundantly, they were sure of heaven, as being freed at once from all guilt and from all necessity of further satisfactions for their sins. He then proceeds to instruct the archbishop ; informing him, that such statements were directly contrary to the Scriptures, especially to the language of St. Peter, who teaches that hardly is the just man saved, and reminds him of the warning words of Amos and Zacharias, who compare the elect to brands plucked from the burning. Next he assures him, that Indulgences are nothing more than the remission of the canonical penances, which, as the Church had imposed them, so had she relaxed them, and could fix her own conditions for a participation in that relaxation. He warns the Elector, that a tract was circu-

(e) Pall. L. 1. c. iv.

(f) Pall. Ib. referring to his letter to the people of Strasburgh.

lated in his name, in which the false position was maintained, that, by contributing their alms, and profiting by the Indulgence, the faithful were not only able to receive absolution from any confessor, but to receive that absolution and the pardon of their sins, without repentance on their parts. The love of truth would not suffer him to remain silent, or to refrain from imploring the Elector to apply a remedy to these evil opinions and practices. He added to this letter a list of propositions on the matter of Indulgences, and the kindred subjects, which he begged the Elector to read.

If Luther, by this letter, meant to affect the appearance of submitting the matter complained of to the constituted ecclesiastical superiors, his rashness, or hypocrisy, was made manifest in a very plain manner: for, without waiting for an answer, or giving those authorities time to examine into the alleged abuses, he, on the very day, the last of October, on which his letter to the Elector is dated, published those very propositions,—amounting, according to one calculation, to 95, and according to another, to 97,—some of which were manifest truths, whilst others aimed at subverting all faith in Indulgences, and, as a consequence, all confidence in those adversaries of his own Order, who preached up their efficacy. Those propositions, or questions, are so well known that there is no need of giving them in full; but it may be remarked, that, so far from confining himself to denunciations of the abuses of the Questors, he at once in reality denied the value and efficacy of Indulgences, and advanced numerous errors on the subject of Purgatory and Penance, in so far as those doctrines are connected with that of Indulgences; and interlarded his objections with numerous pieces of irony and pleasantry, which, however sophistical and palpably ridiculous to the eye of the scholar, were calculated to raise a laugh, or a doubt in the mind of the poor and uneducated. Thus, amongst other similar things, he reminds the people of the riches of the Sovereign Pontiff, though in fact his poverty was well known; and assures them, that such is

the virtue of the Pope, that he ought not, and, he was sure, was not willing, to raise the Basilica of St. Peter's out of the flesh and bones of his flock ;^(g) knowing well, notwithstanding, that the alms were perfectly voluntary, and that the mite of the poor was as acceptable to Almighty God, as the more abounding contributions of the rich. He asks, why, if the Pope have the power, he does not at once free all souls from Purgatory ; a question which would equally apply to the Prince who has the power of emptying his prisons of repentant and minor criminals. However, such was his usual method, through life, of appealing to the passions and prejudices of the vulgar, and of wounding his adversaries by the envenomed darts of insult and irony ; of which the above specimen will suffice, and is given as a test of the nature of the spirit that moved him, and of the character of his apostleship.

Luther proposed, and preached on, those same propositions, on that same evening, the Vigil of All Saints, in the magnificent church lately dedicated to their honour, by Frederick, Elector of Saxony ; and, at the same time, caused them to be printed and circulated throughout Germany. All this he did, at first, with some degree of moderation and hesitation ; professing at every turn his readiness to submit to the judgment of the Catholic Church. Whether that modesty and submissiveness were real, or affected, matters to our purpose but little ; it is enough to remark that, at a much later period, he declared that he had no intention of proceeding further than that first step, and that the revolution which he effected had its origin in chance.^(h) The reader will decide for himself how far this is compatible with a divine message, and tallies with the language of Christ and the conduct and preaching of the apostles.

We have now seen the first step taken by Luther in

^(g) *Propos.* 50.

^(h) *Pall.* i. c. v., referring to the Preface to vol. 1 of Luther's works.

the dim region of change and doubt ; his professions, notwithstanding, of submission to Church authority ; we will now briefly observe the progress made in the same direction, until he arrived at the complete denial of all infallible authority ; and thus, overthrowing all certainty of religious faith, became the parent of a hundred sects ; living even to see his own system repudiated and ridiculed : his own authority and guidance despised by men as bold as himself, who but acted on his principles ; until faith shrunk into opinion, and the short wand of weak and erring reason became the ever-varying measure of the stupendous, unchanging, and ineffable revelations of the Divine mind.

Tetzel, being the one most directly aimed at and ridiculed by Luther, replied, from Frankfort, to the propositions of Luther, with sufficient show of theological learning ; but, eight hundred copies of his answer which reached Wittenberg, were publicly burnt in the open market-place, in the presence of the students of that university ; and yet Luther declares, that neither he, the Duke, nor the magistrates, were cognizant of that act.⁽¹⁾ But a more formidable opponent soon appeared in the person of Eck, vice-chancellor of Ingolstadt ; a man possessed of many of the peculiar qualities of Luther ; ready, resolute, eloquent, and deeply skilled in all the niceties of the Scholastics ; and hitherto the fast friend of the innovator. He denounced him now, however, as a heretic, and galled him to the quick with his pungent satire, and weight of argument. Luther affected indeed to despise him ; replied with tenfold bitterness and virulence ; but his private letters show^(k) that such were not his real sentiments, and that, whilst he respected, he feared his new antagonist. Time showed that his opinion of Eck was well founded ; for, of all his opponents, none clung to him with greater tenacity, or cost the reformer greater efforts, even to cope with, in his vain endeavours to crush him.

(1) T. 1. Epist. 42.

(k) T. 1. Epist. 44.

Other adversaries also, as was to be expected, appeared; but, though some were eminent for learning, as Silvestro da Prierio, the master of the sacred palace, they seem to have despised the almost unknown Friar; and to have considered it enough to expose his inconsistencies and sophisms, without entering into any laboured proofs of the truths and practices which he assailed. But, if the being denounced as a heretic by Eck ruffled Luther's pride, and drove him on to greater rashness, the production of Prierio, if it did not convince, at least showed Luther, if before doubtful or ignorant, what reception his opinions were likely to meet with at Rome, and the fate which must eventually await him. Accordingly, in anticipation, it would seem, of the sentence of excommunication, he began to assail the use of that spiritual weapon; to deny its validity; and, at the same time, to prepare the minds of the people, by tongue and pen, for an assault on the authority of the Pope;—an authority which he could not help foreseeing he would soon be driven to yield to, or resist, when brought to bear against him. For this purpose, whilst he still professed to venerate that authority, he continually mingled, with the most servile and exaggerated declarations of submission, raillery and irony on the Papal power; wondered why the Pope, with a word, did not empty Purgatory of souls; and with such like sarcasms, suited to the populace, endeavoured to prepare for the coming struggle. In the Diet of Augsburg, the Emperor Maximilian drew the attention of that assembly to the novelties of Luther, as threatening danger to the state; and, at the same time, addressed a letter to Leo; directing his attention to the same subject; asking him to deliver his judgment on the opinions of Luther; and promising that he, on his part, would provide that whatever that decision might be, it should be observed in the Empire, notwithstanding the secret support which Luther was receiving from certain persons in authority. But, as the event showed, the Emperor had overrated his power; for the Elector of Saxony was nothing daunted by the

Pontifical judgment and command which soon followed,—egged on, perhaps, to this opposition, by the neglect of Leo and of the Emperor to secure beforehand his concurrence.

CHAPTER III.

Luther summoned to Rome.—His fears.—Appeals to the Elector.—Letter from the University of Wittemberg in his favour.—His duplicity.—Fresh errors and general system.

Nine months after Luther's first outbreak, there was issued, in August, 1518, a monitory, by the Auditor della Camera, requiring the obnoxious Friar to appear at Rome in person, within the term of sixty days; there to give an account of his opinions, and to clear himself, if possible, from the charges urged against his orthodoxy. That same officer was, according to custom, appointed the judge in the cause, and there was also deputed as his theologian, the master of the sacred palace; with the power of rejecting him as an interested party, should Luther feel so disposed.

This citation was a source of much perplexity to Luther. He saw clearly that to be judged was to be condemned; and though, when at a distance, the Pontifical denunciation of heresy may have seemed to him of little moment, it now filled him with alarm; he hesitated on the brink of the precipice, and feared to take the final leap. The Elector had, indeed, promised him, that he should not be removed by force from Germany; but he knew that politics enter largely into the actions of princes; and his earnest appeals to that prince, and to his adviser and friend, George Spalatin, whilst they exhibit a wish to persevere, show also the fears, and doubts, and waverings of a mind ill at ease, and fearful of the coming storm. He

was especially anxious to secure, by means of that prince, that his trial might take place within Germany, which would enable him, if condemned, to appeal to the Pope; and thus, by gaining time, feel his way more surely, and surround himself, if possible, with more powerful and active friends.

From the university of Wittemberg, he obtained a petition to the Pope, and a testimony, strangely enough, in favour of his orthodoxy, and adherence to every doctrine taught by the Roman Church; to which that university professed the profoundest veneration and obedience; with the further statement, that the propositions advanced by Luther, and which had moved the hostility of some, were merely opinions advanced by way of doubt and argument, and not decisions or dogmas propounded as matters of faith. But, fearing lest this application might be rejected by Leo, Luther besought the Elector to pretend, that he had been applied to for a safe-conduct through his states; that he had refused the request; and, as the time had now elapsed within which such application should have been made, in order to deceive, and yet show his willingness but inability to obey, Luther proposed that the letters of refusal should be ante-dated, and thus make it appear that he had made the request in time, and only been prevented from appearing to the citation, by the refusal of his passports.⁽¹⁾ There is no evidence to show that the Elector was ever disposed to act this palpable deceit and falsehood. He seems to have contented himself with requesting Cardinal Cajetan, who was then the Legate from the Roman court to Cæsar,^(m) to interpose his influence with Leo to prevent the cause from being tried out of Germany.

Meanwhile, Luther had increased the hostility of the Roman court, by advancing, in the university of Heidelberg, other and more monstrous errors; such as, that all

⁽¹⁾ Pallav. L. 1. c. vii.

^(m) He was one of the four Legates sent to the chief powers of Europe, to organise an opposition to the inroads of the Turk.

human actions are mortal sins ; that faith *alone* suffices for salvation ; that, since Adam's fall, man's free will is utterly lost ; that the human will is a merely passive instrument in all good works, and does not in any way concur towards their performance ;—opinions so extravagant and ludicrous, that, as Luther himself confesses, they made his hearers laugh outright as he promulgated them. And no wonder : though their accordance with human negligence and lukewarmness soon obtained for them a ready reception in theory, as they have ever been the rules of conduct of too many in practice. Strange, however, as these opinions are, it is easy to show, as many have done,⁽ⁿ⁾ their necessary, or intimate, connexion with his first principles of error, in regard of indulgences and penance. And though it may be true, that certain Scholastics had maintained those principles, they had few followers at any time in the Church, and had ceased to be supported, since the definitions of various councils, especially of Lateran, in regard of the sacraments ; and the doctrine of numerous Papal constitutions, especially the celebrated one of Clement VI. It is not my intention, however, to trace the gradual development of his opinions ; suffice it to say that, having at length adopted the opinion that nothing was to be believed but what, according to his fancy, the Scriptures clearly teach—though, by a strange inconsistency, he admitted the inspiration of each apostle, and apostolic writing, nay of writings not by apostles, and framed for himself a canon of Scripture which the Scripture does not teach ; and forced, by his own position and acts, to deny the existence, by divine institution, of any infallible interpreter, or authority divinely appointed to perpetuate the knowledge of the truths of revelation—he at once took up all the ancient landmarks, and lifted the sole barrier against any species of folly, or novelty, which the human mind could imagine to be based on the sacred volume. Nay, he reduced the conscientious examiner to the necessity of continually in-

(ⁿ) See the matter ably handled by Pallav. L. 1. c. viii.

novating; according as his varying judgment might be led to adopt, or reject, opinions as traced in the inspired writings. He indeed sowed the wind, and had, long before his death, to reap the whirlwind: "the same thing was lawful for the Valentinians as for Valentinus, the same for the Marcionites as for Marcion—to change the faith according to their own pleasure."(^o)

The supremacy of the Pope, it may be remarked, though not at once repudiated, was soon, when exercised against him, discovered, or declared, to be unscriptural; a discovery which as it, at once, threw into the hands of his supporters the revenues of numerous benefices to be scrambled for, they naturally enough were not slow in regarding as exhibiting the reformation in a peculiarly attractive and golden light. Not that the poor were thereby benefited; nay they became poorer still; as the history, probably, of every country, where this principle has been received, shows; but, the rich were made richer; and the accumulation of enormous masses of lands and revenues, and of equal masses of destitution, may safely be dated as receiving a vast impulse at that period. Thus, with faith *alone* as the means of salvation; ecclesiastical laws abrogated; private judgment, even in the most ignorant, exalted into the sole guide and criterion of faith; free will denied, to the quieting of many a troubled conscience, as a bait for the masses; and, added to these inducements, the prospect of riches for the powerful and wealthy; the system of Luther was well adapted indeed for those nominal, lukewarm, and worldly-minded Christians, who, in all ages and countries, form the vast bulk of the community; was a ready-made foundation whereon to build a battery against all the mysteries of faith; the requirements of morality; all subordination in religion; and eventuated, but too often, in the disorganisation of all constituted authority.

(^o) Tertull. de Præscrip.

CHAPTER IV.

The Pope's Breve.—Luther's cause to be tried by Cajetan.—The three interviews between Luther and Cajetan.—Conduct of Staupiz.—Luther offers a compromise.—Staupiz flies from Augsburgh.—Is followed by Luther.—His letter and protest.—Cajetan's letter to Frederick.—Who communicates it to Luther.—His answer.—Is supported by the University of Wittemberg.—State of parties.

Leo was not sorry to be able to yield to Frederick's request to have the cause of Luther tried in Germany; as he was enabled thereby not only to gratify a prince whom he wished to conciliate; but also to employ the most eminent theologian of his day, Cardinal De Vio, or, as he is commonly called, Cajetan. The proceedings between Luther and Cajetan have been so often reported, that it will be enough to give a rapid account of that transaction. The Emperor granted Luther a safe-conduct to proceed to Augsburgh where the Legate was stationed; (p) having, however, previously ascertained, that, to this act of his, the Legate would make no open objection. That prelate had already received, from Rome, a Breve in which the notoriety of the heresies of Luther is stated; he is commissioned to receive him again into the unity of the church, if penitent; but, if unchanged and obdurate, to call in the aid of the secular power, and to imprison him; or, if that should not be feasible or advisable, to excommunicate him and all his adherents, of whatsoever rank and condition, save and except the Emperor.

In the very first interview, the Cardinal perceived that he had to deal with one who had already really repudiated

(p) Pallav. L. I, c. ix., citing Cajetan's letter to Frederick: Some accounts make the safe-conduct reach Luther at Augsburgh.

the authority of the Church ; and who came, therefore, as a disputant to argue against her doctrine, and not as a believer prepared to submit to her decisions, when plainly set forth and manifested. He, therefore, declared to Luther, that he was not there to argue with him, as if the faith of the Church were doubtful or debatable, but to receive his adhesion to that faith, if he were disposed to accede to her authority ; or, if he chose to repudiate it, on him was to be the blame, and his the usual punishment of excommunication from her communion.⁽⁹⁾

Luther returned, on the following day, to the Cardinal, but in a manner utterly unexpected by that prelate ; for he came accompanied by a notary, and four councillors, and shortly afterwards there appeared John Staupiz, the Vicar General of the Augustinians in Germany. The notary read a document, wherein Luther protested that, so far was it from being his intention to oppose any one doctrine of the Church, he even submitted whatever he had said, or written, or should write for the time to come, to the judgment of the Church. He was sure, however, that his doctrines had been hitherto orthodox, and conformable to the sacred Scripture ; was ready to defend them in public disputation, or to submit them to the decision of the three chief universities of the empire, Basel, Fribourg, and Louvain, and would not refuse to abide by the judgment of the university of Paris : though he could hardly be ignorant, that the Pope would never submit to have the case referred to any other tribunal than his own. The event seems to show, that all this was but to gain time : for when the universities of Cologne and Louvain, and later the university of Paris, formally condemned his opinions, he took not the slightest heed of their decisions, further than to assail them with his usual ferocious invective and pungent ridicule. To Luther's proposal the Cardinal made a reply similar to that given on the previous day,—that he required

(9) See the account given by the Cardinal's secretary, Giambattista Flavio, in his funeral oration on Cajetan ; and Luther's statements in his letters.

him to submit to the Church, and to condemn and revoke his past errors.

On withdrawing, Luther applied himself to the Constitution, *Unigenitus*, so often cited against him, and fancying to have discovered that the expressions of that Constitution were not unfavourable to his opinions, he returned on the following day to the Cardinal, armed with a lengthened written argument, in which he endeavoured to prove, that he had not in any way opposed the declarations of Clement VI. This but the more convinced the Cardinal, that mere disputation was useless with the character that he had to deal with; and, accordingly, having, in a few words, noticed the futility of the argument of Luther on the Papal Constitution, he declined having any further interview with him, except to receive his submission to the judgment and doctrine of the Church, and the recantation of his past errors.

These three interviews are noticed, both by Cajetan and Luther, in their letters to the Elector of Saxony; and the amenity of the Cardinal, and his real earnestness to be of service to Luther, are borne witness to by that heretic, in the account published by him of that event; his sole complaint being, that Cajetan refused to argue with him, but required of him to retract his errors, as opposed to the authority of the Church, and the declarations of her sovereign Pontiffs,—authorities, be it remembered, which he still affected to respect and submit to.

But, to such a quiet submission, Luther was not only constitutionally opposed, but there is reason to believe, that the Vicar General of his Order, Staupiz, in his hostility to the rival order of the Dominicans, whilst he in public exhorted him to relent, in private and in reality confirmed him in his obstinacy; little imagining, at the time, to what a precipice this duplicity was leading; but, too soon to be fearfully convinced of the danger of indulging in such animosities and double dealing.^(r)

(r) Pallav. L. 1., c. ix.

Before departing from Augsburgh, Luther, being now denied access to the Cardinal, addressed a letter to him ;(*) in which, having stated his inability to retract opinions which to him did not seem erroneous, he offered, as a species of compromise, to express his regret, openly from the pulpit, for having spoken disrespectfully of the Sovereign Pontiffs; and promising to abstain, for the future, from all attacks on Indulgences, provided his adversaries would, on their parts, observe a similar silence in his regard, and in defence of that subject;—a condition which obviously could not be acceded to, as it not only involved the suppression of a truth admitted amongst all Christians, and would leave Luther to hold, if though but in private, heterodox opinions; but also, because, not on that point only, but on many others, had he put forth statements directly opposed to doctrines and practices of the Catholic Church.

To this offer, therefore,—which is a significant fact in the history of this innovator,—the Cardinal gave no reply: a silence which so alarmed Staupiz, that, unprotected as he was by a safe-conduct, he hastily withdrew from Augsburgh, and was soon afterwards imitated by Luther, who, however, before departing, left a letter of excuse for his sudden departure, and entered his protest against the rejection of his overtures,—which protest was, on the day after his departure, fixed up in the market-place of Augsburgh. In it he endeavoured to justify his refusal, or unwillingness, to appear in person at Rome; complained that no attempt had been made to refute his opinions by texts of Scripture; and declared that, under such circumstances, to recant would be to act against his conscience, and displeasing to the Elector, who would prefer this his appeal before any such repudiation of his tenets. His departure, he represented, was absolutely necessary on account of his extreme poverty; but that this step of his was not to be considered as indicating any unwillingness to submit to the

(*) Dated Oct. 17, 1518.

Pope and to the Church,—authorities to which he would ever, and in every place, be obedient; that he appealed from the Legate, as a judge who was by him suspected as being a Dominican, an admirer of the Scholastic Theology, and especially of that of St. Thomas; and finally that he appealed from the Pope ill informed, to the Pope under better guidance and light.

Thus terminated this singular exhibition of conflicting feelings on the part of Luther; of obedience professed and disobedience practised; of acknowledged veneration for Catholic doctrine and practice, and palpable opposition to the belief and usage of the whole Christian world. A singular exhibition indeed for a supposed messenger from God: if such was his character, he betrayed it by hypocrisy and time serving; if not God's messenger, he was a messenger of Satan; if not an apostle of the Gentiles, he was a Saul; if he believed the authority of the Church, why resist it; if he disbelieved the supremacy of the Pope, why not reject it; if he believed it, and recognised the see of Peter as the centre of unity, why did he practically then and openly later, separate himself from it?

Cajetan continued, even after the departure, or flight of Luther, to exercise the same moderation towards him and contented himself with informing the Elector of Saxony, by letter, of the result of his interviews with Luther; representing him as undoubtedly holding heretical opinions; as using the poorest shifts to evade the clearest declarations of the Church, or of the Sovereign Pontiffs; and advising the Elector to withdraw his protection from one tainted with heresy, and thus keep his own conscience and territories clear from the infection of heterodoxy. But this advice was rendered fruitless, by the instances of Staupitz and Spalatin, both of whom having egged on Luther, and induced the Elector to support him, seem to have been,—though, in the main, orthodox enough, at least the former,—unwilling to be considered as injudicious and short-sighted in their judgment and counsels.

Acting on their recommendation, he communicated the Cardinal's letter to Luther, who addressed a flattering and

artful reply to the Elector ; submitting himself to him as his judge ; expressing his readiness to yield on the question of the treasure of Indulgences ; but declaring himself incapable of denying that, for the reception of the grace of God communicated in the sacraments, it is absolutely necessary for the receiver to have an undoubting faith and certainty that such grace is received by him,—a doctrine which, in his judgment, was so clearly scriptural, that he could not in conscience teach otherwise. He acknowledges, that the Cardinal had treated him with kindness and urbanity ; but complains bitterly, as usual, of the attempt to obtain his retraction without first convincing him, by Scripture, of the fallacy of his opinions :—a complaint to which few judges would attach much weight or importance, in their dealings with those brought before their tribunals ; and which, so long as Luther affected to submit to the Church, and above all to the Pope, was as inconsistent as it was hypocritical.

The university of Wittemberg again supported Luther in this emergency, by an address to the Elector ; but in a more subdued and hesitating tone than previously ; for the recommendation was limited by the condition, that Luther was deserving of support, provided he did not withdraw himself from obedience to the Church of Rome, and did not refuse to satisfy the demands of the Sovereign Pontiff. This, in fact, seems to have been a time, when all parties were in a state of hesitation, wavering, and doubt ; and it has been thought that, if the Bull, which Leo subsequently published, detailing the numerous and enormous errors of Luther, had been then fulminated, the heresy of that innovator would have been effectually crushed. In fact Luther had, at that time, many observers, and waiters on events, influenced by numerous motives whether good or evil, but he had but few friends, or real followers and admirers ; and the contest had not as yet enlisted the passions of the combatants, nor become a political, as well as a religious, movement ; nor had it as yet begun to help the temporal, as it professed to promote the eternal, interests of greedy and discontented or deluded men.

CHAPTER V.

Luther appeals to a General Council.—Bull on Indulgences.—Luther condemned by the universities of Louvain and Cologne.—Death of Maximilian.—Leo's letter and present to Frederick.—Miltitz appointed Legate.—His interview with Luther.—Luther's promises.—Arbitration agreed to.

Cajetan's letter had made it plain to Luther, that his condemnation at Rome was not only certain, of which he could have had no real doubt throughout, but also that it would speedily follow, as the necessary result of the interviews at Augsburg. It was, therefore, his obvious policy—so long as it seemed his interest, or his duty, to profess submission to the Church, and adhesion to the Sovereign Pontiff,—to anticipate that sentence, and thereby escape the appearance of resisting the decision of the Pontiff only after his own condemnation had appeared; and thus seeming to deny that authority, because exercised against himself. He, accordingly, changed at once his tone and ground. Hitherto, he had, in language the most emphatic, if not subservient and exaggerated, placed himself and his opinions at the feet of the Pontiff, to be by him approved, or condemned; he now had a document prepared by a public notary, and published at Wittemberg, on the twenty-eighth of November, 1518, wherein, whilst he professed obedience to the Church, and submission to the Roman Pontiff, when well informed, as Christ's vicar on earth; he observed that, even as Peter had erred, so might his successors; and that, should the Pope, as was likely from the tenor of Cajetan's letter, condemn him, he appealed from the Pontiff misinformed by his judges, and misinterpreting the Scriptures, to a General Council of the Church, which was above the Pope.

Leo no longer delayed the long expected condemnation ; but addressed a Bull,^(†) on the subject of indulgences, to his Legate, who was then at Linz. Cajetan published that document on the thirteenth of December,^(‡) and caused numerous copies to be circulated throughout Germany. The Bull of Leo was speedily followed by similar condemnations of the opinions of Luther, from the universities of Cologne and Louvain, both of which approved of the decisions promulgated by Leo. But, the effect of these condemnations was rendered less, or even useless, as regards the innovators, by the death of Maximilian, which took place, about a month after the publication of the Bull, that is, on January the twelfth, 1519. This event placed the Elector of Saxony at the head of the Germanic Confederation ; and, whilst it deprived the Catholic party of their mainstay in those countries, gave fresh courage and boldness to the supporters of the new ideas.

But Leo resolved to make a last attempt to gain over Frederick ; and, for this end, taking advantage of his previous zeal for religion, which had led him to build and endow the magnificent church of the Apostles, in his fortress of Wittemberg ; and to establish a university, in the same city ;^(§) he resolved to send him the golden rose, which it is usual for the Sovereign Pontiff to bless on the fourth Sunday of Lent, and to present to some one of the Christian princes who has deserved well of Christendom. Miltitz, a German by birth, of a noble family, and the one to whom the university of Wittemberg had entrusted the protection of Luther's interests at the Roman court, was chosen as the most suitable person to convey the present to Frederick. He was also provided with the most affectionate Breves, addressed to the Elector, to Spalatin,

(†) It was signed on Nov. 8, 1518. Pallav. Lib. 1. c. xii.

(‡) Pallav. L. c.

(§) Carlostadt was archdeacon of the Church ; Luther professor of theology in the university ; and Melancthon of *belles lettres*.

and to other chief ministers of that prince, to withdraw them, if possible, from supporting Luther.

But Leo was doomed to find his condescension too late, and worse than useless. The Elector declined to receive the present publicly from the Papal Nuncio, who was accordingly compelled to have it conveyed to him by the hands of others. Frederick, however, professed, not to support the novelties of Luther; but neither would he condemn him, nor withdraw his countenance from him. In this emergency, Miltitz endeavoured to gain over Luther, by other methods than those used by Cajetan. At the command of the Elector, Luther had an interview with the Legate, who sought,—by praises of his learning and ability, by severe reproof of his adversary Tetzels, not sparing even the Elector of Mainz,—to induce Luther to cease from his attacks on the Catholic religion, and to retract his errors on the question of Indulgences.

But Luther, feeling his advantage, assumed the tone of a conqueror; declared a reconciliation to be now impossible; that the fault lay with the Elector of Mainz, whose violence had driven things to the extremity in which they then were; and that the Pope was responsible for the conduct of that bishop, whom he ought to have reproved; but that the cupidity of his Questors and Florentine ministers had deceived him; with other accusations of a like kind, which Miltitz thought proper to receive in writing, and to bear with patiently.

As the fruit of this spirit of forbearance, or temporising, he obtained from Luther a promise, to maintain silence on the question of Indulgences, provided his opponents would, on their parts, observe a similar restraint, and thus “allow the affair to die out of itself;” to acknowledge the excessive severity of his language towards his opponents; to publish a writing wherein he would exhort the people to adhere to the pure worship of the Church of Rome; and, finally, to write such a letter to the Roman Pontiff as would prove his desire of reconciliation.

In fulfilment of this promise, a piece soon appeared in

which he proclaims the Church of Rome as honoured of God above all others ; in her two apostles, forty-six Popes, and hundreds of thousands of martyrs had shed their blood, and made her an especial object of God's regard ; that whatsoever of evil there might be in her could never justify separation from her, for God must not be abandoned on account of the Devil, neither is there any sin nor evil which should destroy charity, or break unity. He condemns his own unmeasured language, mingling, however, even with his expressions of sorrow for the past, new bitterness and insults.

On the third of March, he also addressed a letter to Leo, in which, though written in a tone of respect, he justified his past conduct as forced on him by necessity ; and concluded, by again declaring his unbounded devotedness to the Roman Church and to the Sovereign Pontiff, in these words ; "And now, most blessed Father, I protest before God, and all his creatures, that I have never intended, nor do I now intend, to touch or prejudice, by any craft, the power of the Roman Church, or of your blessedness. Yea, I most fully confess, that the power of that Church is above all things ; and that nothing, in earth or heaven, ought to be ranked above it, but Jesus Christ alone, the Lord of all."

Miltitz, furthermore, induced Luther to refer the whole affair to some unbiassed judge ; and for this purpose the Archbishop Elector of Treves was fixed upon ;^(x) but, when the time had arrived for fulfilling this promise, he excused himself from its performance, in a long letter addressed to the Legate, pleading his fears of treachery and of murder on the road ; his poverty ; the presence of Cajetan whom he now denounced as not being even a Christian ; and, adding further, that the consent of Rome to this step had not as yet arrived ; with similar manifest evasions.

(x) See Luther's account of this, Epp. i. p. 209.

CHAPTER VI.

Disputation with Eck.—Supremacy of the Pope, as of divine right, denied.—Further negotiations between Miltitz and Luther.—Luther offers to be reconciled.—Spread of heresy.—Zuingle.—Luther's fresh errors.—Caricatures of the Pope.—Leo's Breves to the university of Wittemberg and the Elector Frederick.—Luther's letter to the Emperor Charles.—Burns the Decretals and Papal Bull.—Aleander appointed Legate.—Erasmus.

Amongst the more reasonable of his excuses was his approaching disputation with Eck, which was to take place shortly at Leipsic; of which, after various delays, the universities of Erfurt and Paris had been agreed upon as judges and arbitrators. It is, however, foreign from the purpose of these pages to enter into the details of that discussion, which began on the 27th of June, 1519, between Eck and Carlostadt, and was then continued by Luther; but the reader, who wishes for a well digested abstract of the arguments on both sides, will find it in Pallavicino's history.^(y) It may, however, be remarked, that it was here, that Luther first publicly denied the supremacy of the Pope to be of divine right.^(z)

Still Miltitz persevered in his endeavours to gain over Luther; and, during two entire years, spared nothing to bring about that result; but he was unfortunately betrayed into conduct but little suited to his character and dignity;

(y) L. l. c. xv.—xvii.

(z) His thirteenth proposition, opposed by Eck, was as follows: "That the Roman Church is superior to all others is proved from the frigid decrees of Roman Pontiffs who have lived within the last 400 years; against which are the authentic records of eleven hundred years; the words of Scripture; and the decrees of the Council of Nice, the most sacred of all the Councils."

and thus, as the event proved, all his efforts were worse than useless. He, however, obtained, by the interference of a chapter of the Order to which Luther still nominally belonged, another letter from Luther to the Pope,^(a) in which, his tone becoming more imperious, he treats with Leo on the conditions of peace, rather as a dictator than as a subject. He now throws all the blame on Eck; disclaims having had any intention of assailing the authority of the Sovereign Pontiff, but asserts that such a course had been forced upon him^(b) at the discussion at Leipsic; pours forth a torrent of abuse on that adversary and on Cajetan; and concludes with offering to be reconciled, on two conditions which he knew it was impossible to grant;—that he should not be forced to recant; and that he should not be restrained in his private interpretation of the sacred Scriptures.

Meanwhile, the seeds of heresy which Luther had sown began to grow up into a harvest; not only in Germany, but also in other countries, especially in Switzerland; where Zuingli, if not taught to innovate by Luther, had learned boldness from his example, and, advancing more resolutely to the work of destruction, not only adopted or preached the errors of Luther, but acquired notoriety by denying and ridiculing many doctrines which his prototype still firmly maintained. Similar innovators began to infect other portions of Europe; some led, by the hope of gain, to repair their ruined fortunes; others, by hatred of all things sacred, or of existing political institutions; others, by other motives, more or less virtuous, wicked, or selfish, joined in the general confusion which, both religious and political, agitated the age. When the centre stone of authority and of prescription was removed, it was not to be wondered at, that the arch of truth tottered, and that the whole edifice was endangered.

(a) Dated April 6, 1520.

(b) That this was manifestly false, is plain from the 13th proposition already given.

It was now plain that nothing was to be expected from Luther, by the use of forbearance and kindness; nay his errors naturally went on increasing, as the poisonous germ began gradually to unfold itself. He now denied that the sacraments were divinely instituted to bestow grace; that baptism cancels original sin; allowed the power and right of absolution to women; demanded the use of the chalice as necessary for the laity; asserted that the souls in purgatory are capable of fresh sins; assailed the mendicant Orders; and published the grossest and most indecent lampoons and caricatures, both by pen and pencil, on the Pope, the Cardinals, and the court of Rome generally.

Leo was, at length, really aroused from his past carelessness or hopes; and by the advice of his Legate, and that of Eck especially, resolved to fulminate a Bull,^(c) condemning the numerous errors of Luther.^(d) Considering the character of that heretic, it was perhaps unfortunate that Eck had so large a share in the preparation of that document, and that to him the execution of it was consigned. Be this as it may, Eck carried the Bull into Germany as a trophy of his own victories; and, acting as Legate apostolic to many of his German princes, caused it to be published, and, as far as he could, to be executed, throughout their dominions. Luther took occasion from this to represent the Bull as the production of his personal enemies;^(e) whilst the universities, which had already denounced the errors of the Friar, in almost the very terms used by the Pontiff, received it with joy and triumph. To the university of Wittemberg, the Pope addressed a special Breve, in which he exhorted that body to abide in the ancient faith; and commanded them, under grievous penalties, to see to the execution of the Bull in all its parts.

(c) Dated June 15, 1520.

(d) Forty-one propositions, extracted out of Luther's works, were condemned.

(e) The preparation of the Bull was the subject of frequent debate and consultation amongst the most eminent theologians and canonists of Rome. It was consigned especially to the care of Pietro Accolti, bishop of Ancona, afterwards Cardinal.

Frederick being then absent from his capital, the members of that university addressed him by letter to ascertain his wishes and intentions. That Elector had already received a most affectionate letter from the Pontiff, representing to him, that it was on his account that he had so long refrained from publicly condemning Luther; and after hinting pretty plainly that it was on his support alone that the hopes and cause of Luther rested; he conjured him, either to induce Luther to recant and so obtain his pardon, or to proceed against him by the Bull just published. The answer of the Elector to the university was couched in ambiguous terms, betraying the uncertainty of that prince, and that he still wavered between the religion of his fathers and of his youth, and the novelties of Luther. In this emergency, Luther, besides appealing again to a General Council, strove to gain over the mind of the newly elected Emperor, Charles V.; depicting to him the tyranny of the Roman Pontiffs over Germany, and the glory which would accrue to him by casting off that yoke, and exercising, not only in temporals, but in spirituals, an independent authority. But his expectations were soon frustrated; for the Emperor, on his return from England, ordered the works of Luther to be burnt in Brabant, in the university of Louvain, and in other places under his sway.

Luther seems to have been driven to desperation by this insult; and with the connivance at the least of the Elector Frederick, and with the approval of the university of Wittenberg, he in revenge caused, on the tenth of December, a huge pile to be raised outside the walls of the city; and, having publicly invited the Academicians to witness the spectacle, proceeded with a large escort to the spot fixed upon, and cast into the flames a copy of the various volumes which form the Canon law, adding the Bulls of Leo, the writings of Eck, and those of Emser; exclaiming; "Because you have troubled the holy one of the Lord, may everlasting fire overwhelm you." This example was imitated by his partisans in two or three of the cities of Germany, and even in Leipsic, under the very

eyes of Duke George. Whether from remorse, or policy, however, Luther soon afterwards endeavoured to palliate this conduct, and to represent it as not done in hostility to the Roman Pontiff, who, he was sure, neither approved of the errors contained in that code, nor of the burning of his (Luther's) works. But the wonder is that, after this public exhibition by the university, the Canon law still continued to be taught in that very university which had thus appeared to approve of its destruction and of the reproaches thrown on its contents by Luther, and that this office was filled by the fast friend of Luther, Justus Jonas. The secret is, that the professors of Canon law derived abundant remuneration from teaching it; the law students from practising it; and the city itself from the numerous students who crowded thither to learn it.

But Leo was not to be deceived by the idle protestations of Luther: he accordingly selected one of the most able and active of his court as Nuncio to Charles; and if virtue, ability, and zeal could have stayed the evil, Aleander would have succeeded. He immediately repaired to Charles, and the first result of his interview has been seen in the burning of Luther's works in the patrimonial states of the Emperor; in spite of the open and secret opposition of Erasmus, who, at that time, was closely leagued with Luther, he caused the same to be done at Cologne; and obtained from the Emperor that an edict should be published prohibiting the works of Luther throughout the whole extent of that Monarch's dominions. Though foiled in this opposition, Erasmus confirmed the wavering mind of the Elector; who, upon the representation of Aleander, that he could not remain united to the Church of Christ, and continue his support of Luther, referred to Erasmus for advice; who replied, that he knew of nothing to be condemned so far in Luther's doctrine; and thus settled the mind, or furnished an excuse to the conscience, of that prince. Meanwhile, this same Erasinus was writing letters of the most flattering and submissive character to the Pontiff, who replied to him in a kindly tone;

informing, however, his Legate, who expressed his wonder at this conduct, that he was not unacquainted with the real disposition and tendency of Erasmus ; but that it was thought prudent not to irritate him by unnecessary hostility. The works of Luther were also consigned to the flames, not only at Cologne, but also at Mainz, Treves, Alberstadt, Misna, Marsburgh, and in other cities of Germany. If this served no other purpose, it was thought useful as a practical demonstration, to the masses, of the character of Luther's writings.

CHAPTER VII.

The Legate's purpose.—Bull excommunicating Luther.—Diet of Worms.—Aleander's speech.—Luther summoned.—His conduct.—Refuses to abide by the General Councils.—Ordered to leave Germany.—Concealed at Wertburgh.—Placed under the Ban of the Empire.

Aleander was not content with this mere demonstration, but directed all his efforts to cause Luther and his writings to be placed under the Ban of the Empire. To attain this object, after having encountered and surmounted numerous difficulties and varied opposition, he obtained from Rome a Bull, published on the third of January, 1521, in which not only was Luther's doctrine condemned as heretical, but Luther himself proclaimed a heretic, without any of the limitations and conditions hitherto introduced ; as the term fixed for his recantation was long since elapsed, and he had proved himself obstinate.

He also caused it to be clearly understood, that the errors of Luther were not confined to a denial of Pontifical authority and jurisdiction, but extended to the sacraments, and other articles of faith, and renewed the abhorred heresies of Wickliff and of Huss. In this, he derived especial aid, from the condemnation of Luther which had been issued, a short time previously, from the university of Paris.

Meanwhile the Lutherans, on their part, were not idle. The most flagitious calumnies were circulated against the Pope and Aleander; verses, songs, pictures, and caricatures were scattered throughout Germany to ridicule the authority of the Pontiff; and threats of revolution were held out if any such step were taken against Luther.

But a more powerful aid than all this was to be found in the Elector of Saxony, whose authority, for a while, deterred the Diet, then assembled at Worms, from proceeding to its final sentence. But Aleander appeared in person in that assembly; and, in a discourse which occupied several hours in the delivery, proved, from the letters and writings of Luther which he produced and read from in that assembly, that he had not only violated every promise which he had given to recant his errors if condemned by the Pontiff, and his pledge to abide by the decisions of the universities, but had gone on step by step increasing in audacity and violence and error, till nothing was too vile for his pen and tongue where the authority and person of the Sovereign Pontiff were concerned, or the ancient doctrines of the Church to be impugned. He warned the Diet of the danger to the tranquillity of the state, as well as to the unity of religion, which any further terms kept with Luther and his party must necessarily entail; and, by these facts, and his eloquence, produced so profound an impression on the minds and fears of the assembly, that Luther was summoned to appear in person at the Diet.

Aleander was indeed averse to this summons; but, upon the representation of the Elector of Saxony, that the works cited, though bearing Luther's name, could not, he was persuaded, be from that individual's pen, it was resolved to hear from his own lips his real sentiments. Luther, on the other hand, seems to have been delighted at the opportunity of professing his faith, or of obtaining further notoriety; and, having obtained a safe-conduct, from the Emperor, he proceeded to Worms, accompanied by a hundred horsemen, though he entered the city with only eight mounted attendants. On alighting at Worms,

on the sixteenth of April, he cried out, that "God would be with him;" and, having taken up his abode near the Elector, prepared to appear before the Diet on the following day, the seventeenth of April, 1521. The judgments of men naturally enough varied on his habits, manners, and appearance; but there is no doubt that his violence, arrogance, and ungovernable temper produced an impression any thing but favourable, on the minds of those who were not already embarked in his cause. Before he had been an hour before the Diet, the Emperor, having carefully watched and studied his demeanour, remarked to those near him; "This man at least would never make me a heretic."

Instead of being suffered to launch into a lengthened discourse, as Aleander had originally feared, he was asked, whether the books that had been cited were his; and whether he still maintained the opinions therein contained. To the first question he answered readily, that they were from his pen; but to the second he demurred, as it was one, he said, of difficulty, in which the word of God and the salvation of souls were concerned, and asked for time to consider his answer. Upon this, a brief consultation was held between the princes there present, who, through their public officer, gave it as their decision, that it seemed strange that he had not come prepared to give an answer to so plain a question, and that he had not made up even his own mind as to what he believed or disbelieved; that his request should, nevertheless, be granted, but that he must, on the following day, give a specific answer to the question.

Luther withdrew embarrassed at the prospect before him. Either he must recant, and thus compromise his character and reputation, or be prepared to meet the anger of the Emperor. For this latter alternative, his partisans were not as yet prepared, and they accordingly urgently advised him to recant all his opinions, except such as aimed at the Sovereign Pontiff and his authority; as thereby he would completely defeat the Legate, add to his

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own power and that of his party, and escape condemnation.

But Luther cared more for himself, his reputation, or his opinions, than for the views and safety of his party; and feeling that, to recant, would be to proclaim that he had hitherto been a deliberate deceiver, who only now retracted through fear or policy; on his second appearance in the Diet, he professed that he still adhered to the doctrines advanced in his works, as being taught by the word of God, but that, as to the opprobrious language used against his adversaries, he had been provoked to it by their violence; that the blame was theirs not his, who did not profess to lead a holy life, but to teach a holy doctrine. He then proceeded to assail the Holy See with his usual ribaldry, but was stopped by the command of the Emperor. He was then asked, whether, if those opinions of his were shown to have been condemned by the Councils of the Church, and especially by the Council of Constance, he would submit to that authority, and revoke those errors. He answered, that he would not; for that Councils had erred, and were at variance with each other. Charles, on hearing this, broke up the assembly, and Luther returned to his dwelling, accompanied by many individuals attached to the Elector Frederick, and followed by a vast crowd of the populace, some animated by curiosity, others by respect, others by hatred.

After various vain attempts, on the part of Luther's friends, and of others anxious for peace and unity, to induce him to agree to the decisions of the General Councils, the Emperor commanded him to leave his dominions within the space of twenty days; ^(f) and to observe strictly the conditions of his safe-conduct, by abstaining, on his journey, from any act of aggression on the doctrines and practices of the Catholic Church. Luther left Worms on the twenty-sixth of April; armed with a safe-conduct and

(f) Pallav. L. 1. c. xxviii. Sleidan says 21 days.

accompanied by an officer, of the Emperor. In three days he reached Friedberg, where he dismissed that officer, and placed in his hands the safe-conduct ; in order that, in the seizure of his person which had been planned by his friends, there might be no direct outrage offered to the Imperial authority. Having, on the third of May, set out for Wittemberg, and dismissed most of his attendants, his carriage was suddenly stopped by a number of horsemen in masks, who, having beaten his drivers, and made a show of violence to Luther, carried him away into the fortress of Wartburg belonging to the Elector of Saxony ; it being understood, that Frederick was not to be informed as to which of his castles Luther had been carried to, that he might deny any knowledge of his place of refuge.^(*)

On the eighth of May, Luther was publicly placed under the Ban of the Empire, with the consent of the Germanic Diet ; his writings were ordered to be seized and burnt ; his supporters to be banished ; and, to prevent the diffusion of the poison of heresy, all works treating of faith were, before publication, to be approved of by the Ordinary, or his deputy, and by the nearest university.

Having thus traced, at some length, the steps by which Luther proceeded to refuse submission first to one authority and then to another, until his final refusal to abide by the decisions of General Councils, we must hurry rapidly over the subsequent events of his career, until the final convocation of the Council of Trent.

(*) Pallav. L. 1. c. xxviii.

CHAPTER VIII.

Death of Leo.—Adrian VI.—Resolves to reform the Roman Court.—Cherigato appointed Legate to the Emperor.—The Centum Gravamina.—Council recommended.—Death of Adrian.—Clement VII.—Campeggio appointed Legate.—Diet of Nuremberg.—Council promised.—Meeting at Ratisbonne.—Articles of Reformation published.—Progress of error.—Henry VIII.—Diet of Spire—The Recess.

The departure of Charles, and the exercise of authority, in his absence, by the Elector of Saxony, and other friends of Luther, rendered the Ban ineffectual. A short time after the above decision of the Diet, Leo X. died; and was succeeded, on the ninth of January, 1522, by Adrian VI., whose country, virtues, and character for learning gave hopes, soon however to be disappointed, that he would succeed better than his predecessor in allaying the storm now raging in Germany. His first endeavour was to bring about a reformation in the Court and tribunals of Rome, and especially in the administration of Indulgences; in which efforts he seems to have been sincerely seconded by the college of Cardinals. He appointed Cherigato his Nuncio to the Emperor, with earnest instructions to bring back, if possible, the dissenters of Germany; and to complain to the Emperor, that the Ban of the Empire was inoperative, through the influence of Luther's friends, who, not content with denying the doctrines of the Church, were possessing themselves, in all directions, of her goods and property, which, after all, seemed to be the main cause of their apostacy. He, furthermore, directed him to acknowledge to the Emperor, that the present troubles were a just punishment from God upon the sins of the clergy and people; that it was no wonder that the evil had

spread from the head to the members; but that, with God's help, he would apply such remedies as should restore the purity of discipline and manners.

These instructions, when communicated by the Legate to the Diet at Nuremberg,^(h) but served to aggravate the evil. The very concession, that the evils of Germany had one of their sources at least in the clergy and Court of Rome, and in the misconduct of her various ecclesiastical tribunals, whilst it seemed to excuse the invectives that had been directed by the Lutherans against the administrators of the Church, gave not only fresh audacity to those assailants, but also seemed to justify the complaints of false, or injudicious friends, against Rome and the clergy; as, on the departure of the Legate, was soon made visible, by the publication of the *Centum Gravamina*; a piece said to be the production of the secular members of the Diet, but so replete with contempt and depreciation of the ecclesiastical body and tribunals, that it has been even doubted whether it did not emanate from the minds and pens of professed enemies.

In reply to the Breve and instructions of the Pontiff, the Diet, amongst other proposals, especially recommended the convocation of a General Council, as the most effectual remedy for the disorders of the times; and named certain towns as suitable for the place of meeting. The Legate declared, that such a Council would not be unwelcome to the Sovereign Pontiff, provided his rights and authority were not fettered by interference as to the time and place of its celebration.

But these negotiations were speedily terminated by the death of Adrian, on the fourteenth of September, 1523, after occupying the Pontifical throne little more than a year. He was succeeded by Julius De' Medici, who took the name of Clement VII.

There is good reason for believing that this Pontiff was indisposed to the calling of a Council; which he felt per-

(h) The Diet opened in December, 1522.

suated could neither satisfy the minds of the Lutherans, envenomed as they were against the authority which alone could convoke and preside at it; and in which it was to be feared, that questions relative to the superiority of the Pope and Council might be mooted; and thus the attempt to heal one disorder, might only create a greater. Besides this, Luther's refusal to submit to past General Councils, seemed proof enough that he would not be more willing to yield to any other that might be summoned.

Clement despatched, as his legate to Germany, Campeggio, a prelate well versed in the duties imposed by that office, and already distinguished for great skill, learning and prudence. The Diet,⁽ⁱ⁾ in a decree published on the eighteenth of April, 1524, again urged on the Pontiff the desirableness of a Council, and thus brought the matter directly before the Legate. That prelate represented, that the wars then raging were unfavourable to such an assembly; but that, though he did not look upon such a meeting as likely to produce the present advantages which the princes of Germany seemed to anticipate, he would take upon himself to promise, to induce the Pontiff to summon a Council, as soon as a favourable opportunity should present itself.^(k)

Anxious to correct the grosser abuses existing in the Church in Germany, and to repress the Lutherans, the Legate caused a meeting of Electors and bishops to be held at Ratisbonne,^(l) where, after much deliberation, it was agreed, that those present should enforce, as far as possible, the decrees of the Diet of Worms, and thirty-five articles of reformation were fixed upon, regulating and limiting the payments to the clergy, correcting the abuses introduced by the Questors, and making salutary arrangements in regard of the collation of benefices.

(i) Opened at Nuremberg, in January, 1524.

(k) Pallav. L. I. c. x.

(l) There were present, the Archduke Ferdinand, the Dukes of Bavaria, the Archbishop of Saltzburg, the bishops of Trent and Ratisbonne; and the deputies of the bishops of Spire, Bamberg, Augsburg, Strasburg, Basel, Constance, Freisingen, Passau, and Brixen.

Meanwhile, the innovations and principles of Luther, who had returned to Wittemberg,^(m) were producing their natural fruits ; not only in the unsettled state of politics, and confusion in the state, but especially in the numerous heretics and fanatics, who emulated his boldness. Carlostadt, Zuingle and the Sacramentarians, the Zwickau prophets, Munzer and his hordes of Anabaptists, and other sectarians of less note, who were mutually opposing, vilifying, and anathematizing each other, renewed the sad spectacle of the discords of other days, and presented a strange contrast to that unity of faith, sobriety of judgment, and uniformity of sentiment, which had for ages distinguished those lands.

It does not come directly within the purpose of this brief notice, to do more than allude to the divisions which began to prevail, at the same time, in England ; mainly in consequence of the unbridled passions of Henry VIII. ; who, being wearied of the wife to whom he had been now united during more than seventeen years, and enamoured of Anne Boleyn, threw off the supremacy of the Pope, and established, in his own person, an authority far more stringent and unlimited ; because that Pontiff refused to pander to his base lusts. I have, in another work, entered fully into the history of that event, and content myself here with just noticing the fact, as we shall soon see Henry, who had written in defence of the authority of the Church, and been designated, by the Pope, the defender of the faith, issuing his protest against that same authority, and the right of the Pontiff to convoke, and preside at, General Councils.

To add to these troubles, the coldness which had for some time, from political motives, been increasing between Clement and Charles, ended in an open rupture between them, and in those misfortunes which soon after overwhelmed the city of Rome, and placed the Pontiff himself

(m) On March 7th, 1522.

as a prisoner in the hands of his enemies. It was in the midst of these untoward circumstances, that the Diet of Spires was opened in June, 1526. The Emperor, eager to conciliate the Lutherans, in order to secure their aid against the powerful league formed against him, changed his intention of enforcing the Edict of Worms; and contented himself with requiring that the affairs of religion should remain as they were, until the meeting of a General Council. The Recess was drawn up in accordance with this purpose; and thus the political interests of Charles caused him to abandon that system of policy and that support of religion, in which he had believed both his duty and interest involved, and which had hitherto formed the guiding principles and practice of his career.

He imagined that such a step would coerce Clement into another line of policy, and that his own change of system need only be temporary. The misfortunes, indeed, of Clement soon forced him to have recourse to the assistance of the Emperor, but the increased political and religious confusion which soon ensued, proved to Charles, that late events had combined and given greater confidence and expectations to a party within the state, which all his energy and power would not, henceforth, be able to control.

CHAPTER IX.

Second Diet of Spires.—Attempt to reconcile the Lutherans and Zuinglians.—The Emperor abrogates the late Edict of Spires.—Struggle of parties.—The Recess.—The Protest.—Luther and Zuingle at Marburg.—Diet of Augsburg.—Arrival of the Emperor and of the Legate.—Melancthon and the Augsburg Confession.—The Zuinglian Confession.—Opening of the Diet.—The Confession read.—Appeals to a Council.—Dissents from no Roman doctrine.—The Confession answered.—Fresh proposals and concessions of the Protestants.—Rejected.—Further negotiations.—The Tetrapolitan Confession.—Zuingle's.—Proposed Edict.—The Recess.

In March, 1529, another diet was held at Spires, to arrange measures to oppose the inroads of the Turks, but the religious discords also came under consideration. The various sects of Anabaptists had no representatives at that assembly, but the rival parties of Zuinglians and Lutherans appeared there to watch over their mutual interests. The Landgrave of Hesse endeavoured, but in vain, to produce a kind of armed neutrality between these hostile religionists, by persuading them that their differences were, after all, but of minor importance ; though they in reality affected some of the most essential doctrines, and extended also to the sacraments. The Emperor, now that his political position was more favourable, was desirous to revert to his previous religious policy, and to enforce resolutely the now almost obsolete Edict of Worms. In his instructions he complained, that the late Edict of Spires had been taken advantage of to increase religious change and discord, and that, by virtue of his absolute power, he at once abrogated that edict. But, the Elector of Saxony and his party were as urgent for its continuance, and it became obvious that, unless some compromise could be come to, the whole of Germany would be involved in the horrors of a civil war.

In this emergency, a commission was appointed to consider and report on the measures best suited to the present state of parties ; and their proposals, of some importance in themselves, but of more in their results, having been laid before the Diet, on the 4th of April, were adopted by a majority. It was resolved that, where the Edict of Worms had been received, it should continue in force until the holding of a General Council ; where the ancient religion prevailed it was not to be disturbed, but, where the modern had obtained such possession that it could not be interfered with without danger of disturbance, it was to remain unmolested and unchanged until the meeting of a council ; all doctrines opposed to the real presence in the Eucharist were condemned and forbidden to be promulgated ; whilst against the Anabaptists the severest measures were ordered and their utter banishment from the states enjoined. The use of the sacrifice of the mass was to be retained ; and not prevented, even where the dissentient party prevailed ; and the Scriptures were to be interpreted in accordance with the expositions and sentiments of the Fathers approved of by the Church.

But the Lutherans continuing their opposition, other trials of strength took place in the Diet ; at the second of which, on the 12th of April, the same majority required submission to the resolution of the assembly. Of the free cities, twenty-one expressed their assent, but fourteen resolutely refused to submit. On the 18th it was resolved that the dissentients should not be heard again, and on the 19th they were required to give in their adhesion unconditionally. Upon this, six princes and the deputies of fourteen cities of the Empire protested against the decision of the Diet ; and their opposition being disregarded, they, on the following day, presented to the Diet their protest in writing ;⁽ⁿ⁾ declared the resolution of the Diet opposed

⁽ⁿ⁾ The princes were, the Electors of Saxony and of Brandenburg, the Dukes of Lauenberg, the Landgrave of Hesse, and the Prince of Anhalt ; the cities were Strasburg, Nuremberg, Ulm, Constance, Lindau, Memmingen, Kempten, Nordlingen, Heilbrun, Reutlingen, Isue, Weissemburg, Winsheim, and St. Gal.

to Evangelic truth, appealed to a future Council, and to a judge not obnoxious to suspicion. This protest was the origin of the name Protestant, which has ever since designated the sects of that age and their offspring; and it is a name, which, according to the principles of the Fathers of the Church, especially of those who settled the Arian and similar controversies, is of itself decisive of the heretical, or schismatical, character of the sects which bear it. The edict which was the subject of this protest finally passed the Diet on the 23rd of April,^(o) but was not published till the 6th of May.

A fierce and personal controversy now raged between Luther and Zuingle. At the request of the Landgrave of Hesse, they met, with their chief adherents, at Marburg, to effect a reconciliation, if possible; but they separated, after much violent discussion, as irreconcilable enemies as ever. The object of the Landgrave was, however, partially attained. If he could not induce them to agree in doctrine, he, in part, succeeded in convincing them that their common safety demanded union, at least, in politics; and thus prepared the way for that Protestant league which had, for some time,^(p) occupied the minds of the princes of that party. But, for the present, the attention of all parties was fixed on the approaching Diet, which was appointed to be held at Augsburg, and at which, it was understood, that the Emperor intended to be present in person. His recent interview with the Sovereign Pontiff, at Bologna, where he had received the Imperial crown at his hands, prepared the minds of all for bold and decisive measures. In fact Charles had, in that interview, not only secured a promise from that Pontiff that he would

(o) Various methods have been suggested to reconcile the date of this protest, and of the passing of the edict. The details given in the text will readily offer a solution of the difficulty.

(p) An attempt to form a league is named, as early as 1526, by Sleidan, Lib. vi. sub. an. 1526. In 1529 five meetings were held for the purpose. It was even proposed, when Charles was returning from Bologna to Germany, "to march on the Tyrol and to close the passage of the Alps against the Emperor."—Seckend. ii. p. 150, quoted by D'Aub.

aid him in his opposition to the Turk, but that he would not oppose the convocation of a council, if such an assembly should be deemed advisable;^(q) whilst the Emperor, on his part, declared his resolution to enforce, if possible, the Edict of Worms, and to use all his efforts to reduce the Lutherans to the unity of the Church.

The Emperor, accompanied by the Papal Legate, Campeggio, arrived, with a large retinue of princes, ambassadors, and electors, at Augsburg, on the fifteenth of June, 1530. He had been preceded by the Protestant princes, who had come prepared with a confession of faith to be presented to the assembled Diet. Having abandoned, for the present, all intention to have recourse to arms, the Elector of Saxony, early in March, had requested Luther, Jonas, Melancthon, and Pomeranus, to draw up their articles of faith in time for the approaching Diet. This request was complied with, and, the four divines having laboured at the document for a few days, it was consigned to Melancthon to be perfected. That timid and wavering theologian, after days and nights of anxious toil, at length completed his task, on the 11th of May; and the confession was despatched, by the Elector, to Luther, who declared himself satisfied. But the councillors and theologians of the Elector were not so easily contented; for, as Melancthon tells us, there was not a day passed without numerous alterations being made in this their confession of faith.^(r) On the last day of May, this apology, for so it was also designated, was communicated to the various Protestant states; was adopted by the Lutherans, but peremptorily refused by the Zuinglians. The latter, in their turn, prepared also their confession of faith; and thus the Diet was soon doomed to behold a practical illustration of the all-sufficiency and simplicity of Scripture; of the wisdom of refusing to hear the Church, as Christ

(q) Pallav. L. III. c. ii. Guiccard, L. 20. quoted by Courayer in his Ed. of Fra Paolo, L. 1. sub an. 1529, note 87, p. 93.

(r) In Apologia quotidie multa mutamus. Corp. Ref. p. 60.

had commanded; and the galling exhibition to the Lutherans of a schism within the schism. The Diet was opened on June 20th, 1530, by a speech from the Emperor, in which he treated of the war with the Turks, and the religious dissensions. He complained that the Edict of Worms had not been enforced; adverted to the inefficacy of the subsequent edicts; declared his resolution to bring about a union, and that, for this purpose, he was prepared to attend to the complaints and statements of all parties, provided they were delivered in writing. On the twenty-second of June, the Protestants were required to present their Confession at the next Session of the Diet, which was fixed for the twenty-fourth. On that day, the Elector of Saxony requested that the Confession might be read publicly before the Diet; but, as this was objected to, under the plea of the lateness of the hour, it was agreed that it should be read on the following day, in the presence of the Emperor, and of the actual members of the Diet, in a chamber of the Palatinate palace. This was accordingly done, and, as the document was drawn up with great moderation, in order to conciliate, as far as possible, the favour of the Diet; the Emperor, to prevent any further attempt at innovation, or future plea of abuse, caused the princes, whose signatures were attached to it, to be asked, whether they dissented in any other particulars from the doctrines of the Catholic Church, or had any other abuses to complain of. After some deliberation, they at length answered, that the document presented contained all that they dissented from or complained of.^(*)

This confession of faith, called, from the Diet to which it was presented, the Augsburg Confession, is so well known and is published in so many works, that it is unnecessary to furnish even an abstract of the twenty-one articles of faith, and seven objected abuses, of which it is

(*) Pallav. L. III. c. iii.

composed.^(t) In the preamble, however, there is an appeal to a General Council which requires especial notice here.

The Emperor is in substance reminded, as follows ; that, on several occasions, and especially at the Diet of Spire, in 1526, " whilst he declined to come to any determination on the controverted doctrines, he had promised to use his influence with the Roman Pontiff for the summoning of a General Council ; that at the second Diet of Spire a similar promise had been given, and a declaration made, that the Sovereign Pontiff could be induced to hold such council, and further, that the said Pontiff should accordingly be applied to, to give his consent to convoke that assembly, with the coöperation of the Emperor, as early as possible. If, therefore, the religious dissensions should not be amicably settled in the present Diet, they offer to appear and to plead their cause before such a general, free, and Christian council, as had, in the various preceding diets, been treated of and promised ; that to such council they had often appealed, and now again solemnly entered their appeal in this their apology." Yet, notwithstanding this voluntary promise, and solemn appeal, registered in their own Confession, we shall soon see this very party, assigning as their principal reason for refusing to repair, and to submit, to the Council of Trent, that it was convoked by the Sovereign Pontiff. The fact seems to be, that, with few exceptions, the Lutherans were insincere in their demand of a council. " It is true, they made their appeals to it perpetually, and were the loudest in their clamours for its convocation ; because thus they gave a show of equity to their provisional claims—a show of subordination and loyalty to all their proceedings. Besides, they gained time, which was essential to their success."^(v)

There is also another portion of this Augsburg confession which deserves a passing notice. At the close of

(t) The abuses are ranged under the following heads: on communion under both kinds; the marriage of priests; the mass; confession; difference of meats; monastic vows; the power of the church.

(v) Waddington's Reformation on the Continent, Vol. III. c. xxxviii. p. 121.

the articles, the Protestants declare, that, in the whole of their faith, "there is nothing which is at variance with Scripture, with the doctrine of the Catholic, or even of the Roman, Church, in so far as that doctrine is known to them from the writers of that Church;" and they accordingly complain "of being stigmatized as heretics, whereas their faith is that of the Roman Church, and the disagreement is only about certain abuses which had crept into the Church, without any clear or certain authority in their favour."(*) It would seem, that a more bitter and severe condemnation of their schism there could not be than this their own confession. But we must proceed to the facts before us.

The day after the reading of the Confession, it was resolved, in a meeting of the Catholic members of the Diet, at which the Legate and many theologians were present, that a refutation should be drawn up in writing of such parts of that document as objected to any practice or rite of the Catholic Church; and the task was assigned to a body of theologians, amongst whom the most distinguished were Faber, Eck, and Cochläus. But scarcely had this resolution been come to, than the confession was again examined by its subscribers and authors, to see what portion of it might be abandoned; and Melancthon desired the Elector to consent, that the demands of their party should be reduced to two points,—the administration of the Eucharist in both kinds, and the permission of the marriage of the clergy,(x) "For two such purely ecclesiasti-

(w) In qua (summa doctrinæ) cerni potest nihil quod discrepet a Scripturis, vel ab Ecclesia Catholica, vel ab Ecclesia Romana, quatenus ex Scriptoribus nota est . . . Sed dissensio est de quibusdam abusibus qui sine certa auctoritate in Ecclesias irrepserunt.

(x) Before this, immediately upon the arrival of Charles, and before the Confession was read, Melancthon had made a somewhat similar proposal, or statement, to the private secretary of Charles, Valdez, whom the Emperor had commissioned to treat with that reformer. "The Lutheran question," said Melancthon, "is not so complicated and unseemly as his majesty fancies. We do not attack the Catholic Church as much as is commonly believed; and the whole controversy is reducible to three points. The two kinds in the sacrament of the Lord's Supper, the marriage of pastors, and the abolition of *private* masses. If we could agree on these articles, it would be easy to come to an understanding on the others."—Ex Relat. Spalati in Seckend., as quoted by D'Aub. Vol. III. p. 208-9.

cal regulations," writes Melancthon to the Elector of Saxony, "it never surely can be their resolution to refuse to receive us, and thus risk a civil war."⁽¹⁾ To this proposal the Protestant princes assented, and Melancthon was deputed to make the offer to the Legate.⁽²⁾ Accordingly, on the 6th of July, he addressed a letter to Campeggio, in which he makes the above-named offer, and remarks: "We hold not any dogma different from the Roman Church. We have even repressed many persons who were striving to sow pernicious doctrines; of which there are notorious and public proofs. We are prepared to obey the Roman Church, if, with that clemency which it has always practised towards all men, it will only dissemble, or relax, in regard of some few things, which, even if we wished it, we could not now alter. . . . Let not your Eminence give credit to our slanderers, who wickedly corrupt our writings, and impute to us whatever seems best calculated to inflame the public hatred against us. Besides this, the authority of the Roman Pontiff is by us respectfully revered, as is also the whole ecclesiastical polity. Now, seeing that concord can so effectually be established, if your equity will but close your eyes in regard of some few matters; and, rendering, as we do, obedience, with sincere faith, why pursue your suppliants with fire and sword? Many are sure, that your Eminence would not approve of these violent counsels, if you did but perfectly know our cause and wishes. On no other ground do we endure so much odium in Germany, as for our firm defence of the doctrines of the Roman Church. This fidelity, by God's will, will we preserve to Christ, and to the Roman Church, to

(1) Melanc. ad. Duc. Sax. Corp. Ref. ii. p. 162. Luther be it observed, had married the nun Catharine of Bora. Besides Luther, the other leaders of the Reformation, Melancthon, Zuingle, Spalatin, Capito. and Œcolampadius, were married. The practice in fact was becoming general amongst the renegade friars and monks. The remarks of Erasmus to his friend Adrianus are well known: "Œcolampadius has lately taken a wife, rather an elegant girl. Doubtless he intends to mortify the flesh. Some call this Lutheran business a tragedy; but for my part I think it partakes much more of the character of a comedy, for I observe that all its plots and counterplots end in one invariable catastrophe—a wedding."

(2) Ib. p. 171.

our last breath. A slight dissimilitude of rites between us and you is that which seems to be the obstacle to concord. But the very canons themselves affirm, that the unity of the Church may be preserved notwithstanding any such dissimilitude.”^(a) There is reason to believe that Luther, whatever expressions to the contrary may appear in his letters to some of his friends, was neither unacquainted with, nor opposed to, these concessions.^(b)

But even these two points,—communion in both kinds, and the marriage of priests,—the Legate informed Melancthon could not be yielded without the concurrence of the German princes.^(c)

But Charles, in the hope of procuring that unanimity so necessary for the intended war against the Turks, caused a commission to be appointed, consisting, at first, of seven, but which was afterwards reduced to three, of each party; yet, for some reason not clearly recorded, the anticipated agreement was not come to. On the 13th of July, the reply of the Catholic Theologians was completed, but, on examination, it was required to be made shorter and less violent. On the 3rd of August, the amended copy was read in public Diet, and accepted by the Emperor as his own.

Of the various negotiations which ensued, it is needless to give any account, as they furnish no new fact, and as they ended in no practical result; though they furnish a clear and most curious proof of the fickleness of the self-styled Reformers, and of the little importance which they themselves attached to what they had so long proclaimed, and what are still propounded, as the fundamental prin-

(a) The following are some of the expressions of the original. “Dogma nullum habemus diversum a Romana Ecclesia. . . . Parati sumus obedire Romanæ Ecclesiæ, modo ut illa pro sua clementia, qua semper erga omnes homines usa est, pauca quædam vel dissimulet, vel relaxet, quæ jam ne quidem si velimus mutare queamus. . . . Adhæc Romani pontificis auctoritatem et universam politiam ecclesiasticam reverenter colimus. . . . Hanc fidem Christo et Romanæ Ecclesiæ ad extremum spiritum, Deo volente, præstabimus.” Cœlestin. T. III. fol. 18.

(b) Pallav. L. III. c. iv.

(c) Nisi de voluntate principum Germaniæ. Corp. Ref. ii. p. 174.

ciples and doctrines of the Reformation. Give them their wives; secure to them the Church property which they had plundered; content the people with a show of some necessity for the past changes, by giving them the communion in both kinds, and by enforcing or allowing some slight change in the canon of the mass, and, for the rest, they were perfectly satisfied.^(d)

Meanwhile Bucer and Capito had presented to the Emperor their Tetrapolitan confession, or the confession of the four cities of Strasburg, Constance, Memmingen, and Lindau; and Zuingle, not content with this representation of his opinions, took upon himself to draw up and forward, to Charles, another confession, in which he visited with his abuse, not the Catholics only, but his rivals the Lutherans.^(e)

On the 22nd of September, the Diet assembled to hear, and to take into consideration, the proposed edict on the state of religion. It stated, that the confession of the Protestants having been considered and replied to; some of their errors having been retracted, but others being still adhered to; time was now allowed them till the 15th of the ensuing April, to consider whether they would return to the faith and practice of the Catholic Church, at least until the meeting of a General Council. That

(d) See Melancthon's letter to the Legate's secretary, dated Aug. 5; his letter dated Aug. 22; his letter to Luther, dated September 1, 1530; and the final proposal of the Protestant party, made on the 22nd of September, just before the reading of the edict of the Diet. Cœlest. l. c. In his second letter to the Legate, after again declaring, that, in faith, they differed in nothing from the Roman Church, he says, "If a few things were conceded, or dissembled, concord might be restored; to wit, if both kinds were allowed to ours, and the marriages of priests and monks were tolerated. If it should not seem expedient for these things to be openly granted, they might still be dissembled under some kind of pretext, as, for example, that these things may drag on till the assembling of a Council. As regards the mass also, some method might be found by good and learned men, to prevent that from being any longer a source of dissension. We on our parts will agree to restore obedience and jurisdiction to the bishops." Ap. Cœlestin. iii. fol. 137.

(e) Melancthon's judgment on the author of that confession is brief, but clear: "The man, to speak plainly, is mad:" *Dicas simpliciter mente captum esse. Corp. Ref. ii. p. 193;* but Luther was of a different opinion: *Zuinglius mihi sane placet, et Bucerus. L. Epp. iv. p. 110.*

council, the Emperor had agreed with the Sovereign Pontiff, should be convoked within the term of six months, and be assembled, at the latest, within a year. In the meantime, the Protestants were forbidden to publish, or sell, any fresh works on religion ; to make any further changes ; or to prevent the return of their subjects to the ancient faith ; it was ordered that ecclesiastical property should be restored to those from whom it had been taken ; and finally that the Anabaptists and Sacramentarians should be banished from all the states of the empire.

This edict was opposed by the Protestant princes, except as regards the clauses against the Anabaptists and Zuinglians ; and the dissentients unanimously came to a resolution to refuse their aid against the Turk. On the 19th of November, the Recess was formally approved of by all the Catholic princes and members of the Diet, and, on the 22nd of the same month, was legally published. In it the Zuinglians were proscribed ; the restoration of the ancient faith, practices and rights, wheresoever abolished, was commanded ; the married priests were to be degraded ; all changes in religion were prohibited under severe penalties ; the destroyed monasteries were to be rebuilt and their revenues restored ; finally, a council was promised. The above regulations were to be enforced by the Imperial Chamber, and the officers of the Emperor were to compel compliance.

Such is the history of the Augsburg Confession, and of the opinions of its authors and subscribers as to its necessity, truth, and unchangeableness ; a judgment which experience has confirmed ; for, as regards the actual state of religious parties, that confession has long become next to a dead letter.

CHAPTER X.

Civil war apprehended.—Preparation of the Protestants.—Luther.—League of Smalcald.—Foreign aid sought.—Replies from England, Denmark, and France.—Charles negotiates for a Council.—Clement's answer.—Further instances by Charles.—A Council resolved on.—Conditions.—Papal Breve announcing a Council.—Hindrances.—Renewal of negotiations.—Interview between Charles and Clement.—Council again resolved on.—Refused by the Protestants.—Death of Clement.—Paul III.

A general apprehension, that a civil war was imminent, now prevailed throughout Germany; and, had such been the purpose of the Emperor, the opportunity was favourable. France was humbled and exhausted; Solymán had suffered a severe reverse; and the Protestants were, as yet, unprepared and disorganized. But he had no such wish; his designs and expectations were to settle the dissensions amicably, by the intervention and authority of a General Council,—an expectation which the events and proposals at Augsburg served to justify and confirm.

But such was not the moderation of the Protestants. Even during the sitting of the late Diet, the Landgrave of Hesse, after his departure from that assembly under the plea of his wife's illness, had exhorted the Protestant princes not to yield, and declared that he, for his part, "would fight for the word of God, at the risk of his states, subjects, and life."^(†) This advice was not followed at the time; but, as early as the 22nd of December, those princes assembled at Smalcald, and signed^(*) a provisional treaty for their mutual defence. To this step they were

(†) As quoted by D'Aub. Vol. iv. p. 295.

(*) The form of convention was drawn up on Dec. 31, 1530; the signatures were attached on Jan. 4, 1531.

forcibly impelled by the writings of Luther; who, whilst his party was too weak for successful opposition, had obtained the credit and merit of preaching up the duty of obeying, and the sinfulness of resisting, by force of arms, the decrees of the civil authorities; but, now that there was some chance of success, under the flimsy pretext of yielding to the jurists, he proclaimed a contrary doctrine, and, by sermons and writings, urged his followers to resistance. Accordingly, under the form of an apology for their faith and conduct, in reply to a Breve of Clement's, the confederated princes sent letters to the kings of England, Denmark, and France, soliciting support against the Emperor. The two former monarchs sent evasive answers, but the latter despatched William de Bellay, as his ambassador, to egg on the Protestants to resistance; concluded a treaty with them at Eslingen, and deposited with the Duke of Bavaria a large amount of money to be employed in the contemplated war. A portion of the Zuinglians were admitted into the confederacy, and everything betokened preparation for a civil war. But Charles persevered in his peaceful policy; and contented himself with renewing his negotiations with the Pontiff for the convocation of a council. Clement still retained his conviction of the uselessness of such an assembly for the end which seemed anticipated by the Emperor. He represented to that monarch, that General Councils had hitherto only been summoned to condemn novelties in faith, whereas the errors of Luther were little more than the revival of opinions long since condemned; that Luther had already refused to submit to those General Councils, and there seemed no likelihood of his yielding to any other that might be convoked; that there were no solid principles in this their new system on which to build a hope of convincing and reclaiming them; for the Scripture alone was with them the record and rule, and such portions only of the Scriptures as they chose to account authentic and inspired, and that in the translation which they took upon themselves to declare faithful, and according to that in-

interpretation which pleased their fancies, without regarding, nay contemning, the expositions of the Fathers, of antiquity, and of the Church, and those interpretations which the usages of so many centuries had sanctioned and confirmed. He also reminded him, that it would be impossible that the council should be convoked and constituted otherwise than according to the pattern of past councils; and that, as neither Scripture, nor precedent, allowed of laymen or heretics having a vote in such an assembly, the most that could be granted to the Protestants would be to hear them, and to hear them but to condemn them; and thus would the schism be rendered final and unchangeable, and all further negotiations impracticable.^(h)

These considerations, the Emperor replied, were indeed most grave and powerful, but that, after deliberation with Ferdinand, who had, shortly after the Diet of Augsburg, been elected King of the Romans, he could not help hoping, that the difficulties were not so insurmountable as the Pontiff imagined; and that, as it seemed to be the only means left, as it was the only measure untried, he urged Clement not to delay the convocation of an assembly, which would, at all events, confirm the minds of the wavering, and enable him to keep his word to the Protestants, who were ever demanding, and appealing to, such a tribunal. The Pontiff assented, and forwarded to the Bishop of Portona, the conditions on which the council should be summoned, and the specific objects to which it should be confined,—to consider, that is, on the best means of opposing the Turk, and to examine and decide on the religious opinions prevalent in Germany. He stipulated also for the presence of the Emperor at the council; a direct petition from the Lutherans for the proposed assembly, and a promise to submit to its decrees; that the place of meeting should be in some city of Italy, at Rome, Bologna, Piacenza, or Mantua, a feudatory city of the

(h) The above account is given by Pallav. L. III. c. 5.

empire ; and finally that those only should have votes who were entitled to that privilege by the canons and customs of the Church.

The Emperor's answer to these proposals was received at Rome, on the 16th of October. He replied, that if the council were speedily summoned, he would set aside all other business requiring his presence, and assist at its proceedings ; that Milan, or Mantua, would be the cities most acceptable to the Germans ; that the canons of the Church were, of course, to be abided by ; and that, as to the Lutherans, he did not now expect that they would make the required demand or promise ; but that the council was not to be hindered by their obstinacy, as it would be enough to follow the usage of past councils, and proceed at once to the condemnation of the innovators.

Upon receiving this reply, Clement resolved to act without further delay ; and accordingly, on the first of December, a Breve of a uniform character was directed to all the Christian princes, announcing his resolution to convokè a General Council, in some suitable city of Italy, and at as early a period as possible. A few days after the publication of this Breve, letters arrived from the King of France, urging the Pontiff to that determination at which he had already arrived.

It is not necessary to detail the obstacles which arose to prevent this purpose from being at once carried into effect. The danger of the empire from Solymán ; the refusal of the Protestants to aid in repelling him ; the convention of Ratisbon ; the intrigues of France ; the political differences between Clement and Charles ; these and other events of great magnitude occupied the attention of all parties to the exclusion of all preparations for a council.

But, no sooner had Charles repelled the inroads of the Turk, and freed himself from his more pressing engagements, than he turned his attention again to that object ; and, for this purpose, resolved to visit the Pope in person. A meeting took place, early in 1532, at Bologna, where, amongst other points treated of, the proposed council was

discussed. It was admitted, by the Emperor, that the conditions prescribed by the Pontiff were just, and usual, and could not be departed from without compromising his authority, and yielding unduly to the demands of the innovators. Two conclusions were come to; the first, that the Pope should send a nuncio, and the Emperor an ambassador, to the princes of Germany, to induce them to come into those conditions, and to pledge themselves to cause their party to assist at the council, and to submit to its canonical decisions. It was also further resolved, by the advice of Aleander, though not without opposition, that the Pontiff should at once issue a Breve, wherein a promise should be given, that a council should be summoned with as little delay as possible. Accordingly, on the 10th of January, a Breve was transmitted to the King of the Romans, and to the other Catholic princes of the empire; who were also written to, on the same day, by Charles, who declared that he had found the Pontiff most solicitous to perform whatever his high office required, and sincere in his resolution to assemble a council.

In fulfilment of his promise, Clement despatched, on the 20th of February, 1532, two nuncios; one, his private secretary Ugo Rangone, to Ferdinand and the Catholic princes of Germany; the other, Ubaldino Ubaldini, to the kings of France and of England. Their instructions were, that the Council should be perfectly free, and be celebrated according to the usage of the Catholic Church in her General Councils from the beginning; that those who should assist thereat should pledge themselves to submit to its decrees; that those lawfully hindered from being present should send proxies; that, meanwhile, there should be no fresh innovations in matters of faith; that the place should be mutually agreed upon, the Pontiff proposing Mantua, Bologna, or Piacenza, any one of which cities was safe, in a fertile country, suitable, and nearer to Germany than to any of the Ultramontanes who would have to assist at the Council; that should any of the princes of Christendom refuse to aid in the prosecution and success of so

holy a work, it was not therefore to be abandoned ; and that should any oppose the holding of the Council, the Pontiff was to be supported, against those efforts, by the power of the other princes ; that, upon the expiration of six months after a favourable answer to these proposals, Clement pledged himself to convoke the Council, to be held at the termination of a year, which period would allow sufficient time to prepare themselves for that assembly.

A meeting of the Protestants, to whom a nuncio and Imperial ambassador had been sent, took place at Smalcald to consider of the answer to be given to these conditions. After much deliberation, a reply was given, on the last day of July, by the Elector of Saxony, in the name of the confederates. After the usual invectives against the Holy See, they declared that they could not agree, or submit, to a Council summoned under the terms named ; for that such a Council would not be free, as it was to be convoked and presided over by the Roman Pontiff :—an objection premature at the least, inasmuch as the instructions simply stated that the Council should be celebrated in the manner that had been usual in General Councils from the beginning ; and the name of the Pontiff was actually nowhere introduced. It was further objected that, in the councils held for many ages past, there had been a divarication from the primitive usage of the Church, the Scriptures having been then the sole guides, and not the authority of the Pontiff and of the Scholastics ; an objection which, in part, the history of those councils, especially of Ephesus and Chalcedon, shows to be as baseless as the preceding, and which involved the absurd supposition, that the doctrine of the Scholastics, and the decrees of the Roman Pontiffs, had been, or were admitted to be, in opposition to the sacred Scriptures ; as if the meaning of those Scriptures, the extent of doctrine conveyed in them, and the authority divinely appointed to guide us in their interpretation, were not some of the real and most fundamental questions in dispute between the Catholics and Protestants, and as such to come under the consideration of the Council.

But, in the midst of these events, Clement died, on the 25th of September, 1534, recommending, as his successor, the Dean of the Sacred College, Alexander Farnese, who was unanimously elected Pope, on the 13th of October, on the very first day of the Conclave. He ascended the Pontifical throne, taking the name of Paul III.

CHAPTER XI.

Disposition of the Pontiff towards a Council.—Commission appointed.—Vergerius sent into Germany.—His interview with Luther.—Mantua proposed for the Council.—Refused by the Confederates.—Interview between Paul and Charles.—Indiction of the Council at Mantua.—Prorogation.—Convoked for Vicenza.—Legates sent.—Paul repairs to Nice.—Mediates a truce.—Council again prorogued.

The new Pontiff had always shown himself favourable to the convocation of a Council ; a disposition which had no slight influence on his election. Nor was it long before he endeavoured to carry that purpose into effect ; but the difficulties, which he encountered during so many years, showed that Clement had not exaggerated the obstacles to such an assembly. But he met with the usual fate of cautious and politic princes ; the difficulties were ascribed to his own delays and wishes, and not to the unfortunate course of events, by which they were really occasioned. Paul considered peace between Charles and the King of France, as the first essential to the successful convocation of the Council ; a result which, for many years, he laboured in vain to produce. However, in the very first consistory,

held on the 13th of November, 1534, he renewed his declaration of being favourable to a Council, and exhorted the Cardinals to paye the way for it by an exemplary reformation of themselves, and of the whole Roman Court. He, shortly afterwards, deputed eight of the most eminent cardinals and canonists,⁽ⁱ⁾ to draw up such a scheme of reformation as should seem to them desirable ; giving them for this purpose full authority over every tribunal in Rome. He also sent nuncios to the various princes, in order to secure their concurrence and help in the proposed council ; and, at the same time, promoted several individuals of great merit to the cardinalate, and amongst the rest, our illustrious countryman, Fisher, bishop of Rochester, who was then in prison for refusing to follow in the schismatical footsteps of Henry.

In furtherance also of his wish for the speedy celebration of the Council, and as a further proof of his sincerity, he summoned Vergerius to Rome, and shortly afterwards sent him on a special embassy to the various courts of Germany, that the place for holding a meeting might be finally agreed upon.

Of the Catholic princes of Germany, all, but the Elector Palatine, expressed their concurrence in the City of Mantua as a suitable and desirable locality ; and, even amongst the Protestant princes, George of Brandenburg was of the same opinion.

On his road through the territories of the Elector of Saxony, the Legate was most honourably received and treated by that prince ; was waited on at table by his own hands ; and heard from him many expressions of respect and admiration for the Sovereign Pontiff. The Elector also introduced Luther to him at Wittenberg. He came^(k) accompanied by an associate of his, John Bugenhagen,

(i) The Cardinals Piccolomini, Sanseverino, Ghinucci, Simonetta, Cesis, together with Jacovaccio, then at the head of the Dataria, and shortly afterwards cardinal, and the bishops of Cassano and Aix. Pallav. L. III. c. xvii.

(k) Nov. 7, 1535.

surnamed Pomeranus, who was in the habit of ordaining priests, by authority of Luther and of the academy of Wittenberg. From the account, given by Vergerius to the Pope's secretary, Luther seems to have produced a most unfavourable impression on his mind. He represents him as speaking so barbarously in the Latin tongue, that he could not believe that some of the works published as Luther's were really from his pen; and, he adds, to give my opinion "derived from his countenance, dress, gestures, and words, be he a man of talent or not; he is the very personification of pride, malice, and impudence." ^(l) His report ^(m) of Luther's conversation assuredly bears out this judgment. Speaking of the proposed Council, Luther burst out into phrensy, and exclaimed; "I will go to the Council, and may I lose my head if I don't defend my opinions against all the world. What comes from my lips is not anger of mine, but God's." ⁽ⁿ⁾

If the Legate had cherished a hope of reconciling the Protestants to the council, he was speedily undeceived, by the reply returned from Smalcald, on the 21st of December, 1535, by the confederated princes. Besides indulging, as usual, in the bitterest invectives against the Roman See, and the Catholic faith, they peremptorily refused to be present at a council assembled in Italy; pleading that the fate of Huss would await their party there, at the hands of the Pontiff; forgetting, it may be supposed, that Huss perished in Germany, by the hands of Germans, at a Council that had deposed various Pontiffs, and at a time when there was no actual Pope to control the proceedings.

(l) See Pallav. L. III. c. xviii.

(m) His account is, in the main, borne out by that of the Wittenbergers. See Lutheri opera, T. VI. Alt. fol. 492, apud Seckend. Lib. VII. sect. vi. § 34. The account is from the same hand, but from one who was not present.

(n) Non est ira mea, sed Dei! Vergerius, quoted by Pallav. l. c. As the whole conversation took place publicly, whilst the Legate was sitting at breakfast, it cannot well be supposed, that Vergerius' account to the Pontiff contained any thing but the truth; as his followers and servants could so easily have furnished an accurate report to Rome.

They required that the council should be held in Germany ; that the Pope should neither convoke nor preside at it ; adding other demands of a like nature, which could not be acceded to without at once sacrificing fundamental points of doctrine and jurisdiction. They were encouraged in their opposition to the council, by the ambassadors of France and England ; by the former power from political motives ; by the latter as a counterpoise to the hostility of Rome, occasioned by Henry's late marriage, and proceedings in religion. Vergerius, at his own request, was recalled to Rome ; to give an oral account of his mission, and of the state of parties in Germany, not only to the Pontiff, but also to the Emperor, who was then at Rome, on his return from his expedition in Africa. The result of lengthened interviews between the Pope and the Emperor was made known in a consistory, held on the 8th of April, 1536, in which Paul proposed, and all the Cardinals assembled agreed, that a council should be immediately convoked, at the city of Mantua, a fief of the Empire. The arrangement of the necessary preliminaries was assigned to seven of the Cardinals,^(o) assisted by Aleander and Vergerius. The last named prelate advised that the city of Mantua should not be named as definitively fixed upon, until the concurrence of the German princes had been secured ; and he also recommended, that in the bull of convocation the customary clause, "according to the form of preceding councils," should not be inserted, as being likely to give occasion to complaints on the part of the Protestants, and as having been omitted in the bulls convoking the Councils of Constance and Basil. The latter advice was followed, but not the former ; as all hopes were now lost of securing the agreement of that party to any legitimate assembly of the Church, which it was now resolved to summon to vindicate Catholic truth, and to promulge the judgment of the Church on the novelties of the day. It was moreover

(o) Piccolomini, Campeggio, Ghinucci, Simonetta, Contarino, Cesis, Cesarino. Pallav. L. III. c. XIX.

remarked, that as Mantua was a city, indirectly at least, under the power of the Emperor, the Germans could have no reasonable pretext for objecting to it, and that the majority of the German princes, the King of the Romans, and the Emperor had already consented to that city as a fit and desirable place.

A Bull, accordingly, was issued on the 2nd of June, 1536, appointing the 23rd of May next ensuing, for the meeting of the Council at Mantua; and various nuncios were immediately sent to the princes of Christendom to notify to them formally the convocation.

The Protestant princes, who were again assembled at Smalcald, renewed to the Papal nuncio their refusal to attend at the Council, and in this they were imitated by the King of England, who declared that he had nothing more to do with the Pope than with any other bishop; that it was the right of princes to summon councils; that the claim of the Pope was a usurpation; with similar assertions in conformity with his new character, as head of the Church in England. As this had been anticipated it created no difficulty; but an unexpected obstacle was occasioned by a demand from the governor of Mantua, that the Pontiff should pay a guard of soldiers to consist of 150 infantry, and 100 cavalry. This the Pontiff refused, not merely on account of the unnecessary expense, but also, because any such act on his part was likely, or sure, to be represented by the adversaries of the Church, as destructive of the liberty of the meeting.

Many difficulties arising in the choice of another city, the Pontiff, almost at the last moment, promulgated a Bull, dated April 20th, 1537,^(P) in which, throwing the blame of the delay on the Duke of Mantua, he prorogued the Council until the month of November; no place, however, being designated for the assembly, as none could, as yet, be determined on. Various negotiations immediately ensued

(P) Pallav. L. IV. c. iv. says May 20, but Raynaldus gives the Bull dated as in the text.

on this subject ; the Pope proposing Padua, Verona, and Vicenza, cities of the Venetian territory ; or Bologna, and Piacenza, in the Ecclesiastical States. The King of the Romans incidentally recommended to the Nuncio, the city of Trent, as least likely to be objected to by the Confederates. Paul had, meanwhile, obtained from the Republic of Venice permission to assemble the Council in the city of Vicenza ; information of which he communicated to the Christian world by a Bull, dated on the 8th of October, appointing the first of May of the ensuing year, 1538, as the day of meeting ; and expressing a hope and expectation that, before that period, peace would be concluded between the Christian princes.

To prepare for the Council, Paul again appointed a committee, consisting of four cardinals and five other prelates ;⁽⁹⁾ with instructions to prepare such a scheme of reformation as seemed to them suitable ; a task which they performed with unsparing zeal accompanied with admirable prudence. To obtain the blessing of peace, so necessary to the profitable assembling of the Council, the Pontiff sent nuncios to the King of France and the Emperor ; whilst his legates hastened to Vicenza to make the necessary preparations for opening the Council ; thereby giving assurance to the world of the sincerity of his intentions. The legates chosen for this purpose were three cardinals of very distinguished merit and reputation, Campeggio, Simonetta, and Aleander. As the reports of his nuncios were unfavourable to his hopes of peace, Paul resolved to assume the character of a mediator between the two crowns, and proceeded to Nice, to bring about, if possible, an interview between the hostile monarchs. Upon reaching Piacenza, information reached him that as yet not a single bishop had arrived at Vicenza ; and, as now but five days remained before the appointed

(9) The cardinals were Contarini, Sadoleti, Caraffa (afterwards Pope), and Pole; the prelates were Fregoso, archbishop of Salerno, Aleander, Cortese, Badia (all raised subsequently to the cardinalate), and Giberti. Pall. L. IV. c. v.

opening of the Council, he forwarded to his legates, on the 25th of April, a Bull of prorogation, delaying the opening till some future day to be by him determined; which, by another Bull, date June 28, 1538, was appointed to be the following festival of Easter.

During the month that Paul remained at Nice, first visiting one of the monarchs, and then the other, he failed to bring them to a conference; but succeeded in obtaining their consent to a truce of ten years. Almost, however, immediately after his departure, an accident brought the two princes into personal and friendly intercourse; an event for which the Pontiff caused public thanks to be returned to God, as the presage of a lasting peace. Under these more favourable circumstances, the council was again prorogued, at the request of the reconciled monarchs.

CHAPTER XII.

Charles opposed to a Council.—Attempts at pacification.—Diet of Spires.—The Council of Trent indicted.—Appointment of Legates.—Their instructions.—Arrival at Trent.—Efforts to assemble prelates.—Arrival of the Imperial ambassadors.—Their departure.—War between Francis and Charles.—Prorogation of the Council.—Diet of Spires.—Peace of Crépy.—Convocation of the Council.—Legates.—Arrival of prelates and ambassadors.—Council delayed.—Prohibition to appear by proxy.—Preparations.—Instructions to the Legates.—The French prelates ordered to withdraw.—Recalled.—First general congregation of the prelates.

When every obstacle seemed at length removed, a fresh difficulty arose in an unexpected quarter. Hitherto the Emperor had been urgent for the council, but, as it had now become perfectly manifest, that there was no longer any hope that the Lutherans would yield to its authority, he foresaw that nothing awaited them but a public condemnation by the assembled prelates of the Church, which would only add to their irritation and hostility against the Catholics. Surrounded as he was on all sides by watchful and powerful enemies, and awed by the growing power of the Confederates, his policy was now to prevent, or at least to delay the Council; and as a means of securing this object, he requested of the Pope that another attempt should be made to conciliate the Lutherans, by sending Aleander as his Legate into Germany.^(r) To this the Pope assented; but the result was as fruitless as must, from the circumstances of the times, and the temper and state of parties, have been anticipated.

(r) Pallav. L. IV. c. viii.

Paul, wearied with opposition, and ashamed of having again and again to prorogue the meeting of a council, which he had authority to indict, but had not power to assemble, resolved, after much deliberation, to represent to Christendom the difficulties of his position, and to postpone the Council to an indefinite period; declaring, at the same time, his anxiety to convoke it, at the earliest possible opportunity. A Bull to this effect was accordingly promulgated on the 13th of June, 1539.

Nearly three years were now employed in various fruitless attempts to effect a reconciliation, in matters of religion, without having recourse to a council. But, the colloquy begun at Hagenau, and continued, at intervals, during the years 1541-42, at Worms and Ratisbon; the interview and conferences between the Emperor and the Pope at Lucca; the book of Concord; and other similar attempts at pacification, ended in nothing but disappointment. At length, in the Diet of Spires, held in 1542, the Legate Morone proposed that a council should be held in some town of Italy, and, as a last concession, at Trent,—a city which, being in the Tyrol, subject to the King of the Romans, and on the confines of Germany, could not reasonably be objected to by those of that nation, who really desired the final settlement of the existing controversies. Ferdinand, and the whole of the Catholic members of the Diet agreed to the offer; but, as usual, especially in the absence of the Emperor, the Protestants rejected it; protesting against it as being a meeting to be convoked by the Pope, and to be assembled without the precincts of Germany. On his part, Paul proceeded at once to fulfil his pledge, and in a Consistory held on the 22d of May, 1542, the form and tenor of the Bull of Convocation having been agreed upon, it was published on the feast of the Apostles Peter and Paul, indicting the Council for the first of November, the festival of All Saints.

Morone, lately raised to the cardinalate, with the Cardinals Parisi and Pole, having been appointed the Legates to the Council, received their commission on the 16th

of October. They were instructed to notify to the Christian princes their arrival at Trent; to affix to the doors of the Cathedral the usual intimation, requiring those to repair to that city, who, by right, or custom, ought to assist at General Councils; but they were not to proceed to open the Council, until after the arrival of the principal of the prelates from Italy, Germany, France, and Spain; nor then without apprising the Pontiff, and awaiting his commission.

The Legates received the cross on the 20th of October, but being unable to reach Trent by the day fixed for the opening of the Council, they were preceded by Giantomaso di San Felice, bishop of Cava, who was deputed, with the cardinal bishop of Trent, to receive the prelates as they arrived; and to make such preparations as were required: but their services were little needed, as but few bishops reached Trent prior to the appearance of the Legates, on the 22d of November. So slow, in fact, were they in presenting themselves, that Cardinal Farnese had repeatedly to urge, on the nuncios at the various courts, the necessity of expediting, in every possible way, the prelates of their respective countries; and the Pope had, after all, to send Baron Truxes into Germany, armed with a Breve exhorting the bishops of the Empire to attend. The real cause of this tardiness was the renewed war between Charles and Francis, which rendered it unsafe for the bishops to attempt the journey.

The Emperor, however, sent Granvel and Mendoza as his ambassadors to Trent, at which city they arrived on the 8th of January, 1543. Granvel, the Emperor's chief minister, remained but a short time,—but enough transpired, before his departure, to show that the Council was not now desired by his master. Mendoza still remained for a time, as the representative of Charles; but, taking advantage of the small number of prelates at Trent, which prevented the opening of the Council, he soon, contrary to his promise, proceeded to his original embassy at Venice. This satisfied the Legates that nothing could be done at

present ; and having now remained fruitlessly at Trent for seven months, during which only a few prelates from the Ecclesiastical States had arrived ; as the Turks were pressing Christendom ; and the war was raging between the King of France and the Emperor ; they advised the Pontiff to prorogue the Council to a more favourable opportunity. A Bull to that effect was shortly afterwards published by the Pope.

Pressed on every side by powerful enemies, the Emperor found himself constrained to conciliate the confederate princes ; and, in the Diet, held at Spire, in 1544, he not only repealed the Edicts of Worms and Augsburg, but placed the Protestants in a position, both as regards the ecclesiastical property which they had seized, and their general religious and political condition in the state, which they had not hitherto occupied. These concessions excited the indignation of Paul, who, in a breve, dated August the 24th, 1544, remonstrated with the Emperor in bold but paternal language, and went so far as to threaten him with the censures of the Church, if the steps which he had taken were not retraced, or were proceeded in.

Bold as was this letter, it was received without resentment by Charles, who was conscious that his late necessities had laid him open to the just complaints of the Pontiff.

But a most unexpected event soon filled the mind of Paul with gladness. After a short campaign, peace was concluded^(*) between the King and the Emperor ; for which the Pope ordered public thanksgivings throughout Christendom ; sent to congratulate the two princes ; and, shortly after, removed the suspension of the Council, in a Bull published on the 19th of November, summoning that assembly to meet at Trent, on the 15th of March of the ensuing year.

It was now evident, that the real business of the Council would have to be proceeded with ; and Paul, without

(*) At Crépy, Sept. 18, 1544.

delay, selected as his legates, men every way equal to so important an office ; Giammaria del Monte, bishop of Palestrina, Marcello Cervini, and Reginald Pole. The first of these had already greatly distinguished himself in numerous embassies of importance, and was afterwards created Pope, under the name of Julius III. ; the second succeeded Paul in the apostolic throne ; and the last had well nigh been appointed Pope in the preceding conclave, and was no less distinguished by his virtues, than by his high birth and attainments. The Bishop of Cava was again sent to precede the Legates ; two of whom almost immediately followed ; Pole delaying his departure, from fear, it is supposed, of meeting with violence from the emissaries of the King of England.

The Legates, on leaving Rome, had neither received their written instructions, nor the Bull of their faculties ; but the necessary documents were forwarded shortly before the opening of the Council. With one clause of their faculties, which required them to act with the consent of the assembled Fathers, they were discontented ; it was, however, decided at Rome that it should be retained.

On their arrival at Trent, they found no other prelate there but the Bishop of Cava ; but, in a few days, there arrived Campeggio, bishop of Feltro, and Frà Cornelio Musso, bishop of Bitonto. Mendoza again repaired to Trent from Venice, to act as the representative of Charles at the Council. The ambassadors also of the King of the Romans soon followed. The small number of prelates present rendered it, in the opinion of the Legates, unwise to open the Council on the day appointed ; especially as they were given to understand, by Mendoza, that the Spanish bishops would soon set out for the Council ; and the Pope had given strict and urgent orders, that the bishops immediately under his jurisdiction should hasten to the place of meeting. Other motives also induced the Legates to delay. They were anxious to have specific information as to the proceedings of the Diet then assembled at Worms ; and to see, furthermore, what would be the

result of the prohibition issued by the Viceroy of Naples, forbidding the bishops of that kingdom to leave their dioceses, and requiring them to content themselves with the four proxies which he promised to depute to act in their names.

The Pontiff, immediately on hearing of this interference, commanded the opening of the Council to be delayed; issued a Bull forbidding any bishop whatever to appear by proxy; and enjoining, under the severest penalties, that each should appear in person, in conformity with the oath taken at his consecration. Injurious as this affected many bishops of Germany, the Pontiff resolved to adhere to it, until he had compelled the Viceroy to withdraw his prohibition.

Meanwhile, in consequence of a communication received from two of the Legates, Pole being still absent, the Pontiff determined to open the Council on the 3rd of May, the festival of the Holy Cross: To beg a blessing on the assembly, he had purposed to sing mass himself publicly on that day, in the Vatican church; but a letter which reached him from his Legates on the day preceding, changed his resolution. The opening of the meeting was yet awhile delayed, from considerations of expediency connected with the small number of prelates present, and the secret opposition to the Council on the part of the Emperor; who, embarrassed as he was with the Turkish war, found it still necessary to conciliate the Protestants. It was, however, understood that the Legates, without waiting for any direct orders from Rome, should open the Council as soon as it seemed to them expedient, guided by the advice of Cardinal Farnese, then Legate to the Emperor. As regards the Viceroy of Naples, he felt himself compelled to yield, in appearance at least, to the Papal Bull; and nominally to leave his prelates to act according to their own judgment and sense of duty; sending, however, only the four whom he himself had chosen, though without the odious name of proxies.

The Legates, fearing lest these delays might seem to

justify the assembled prelates in their wish to leave Trent, caused them to be daily employed in preparing for the future business of the Council; and thus not only succeeded in quieting the discontented, but saw with pleasure that the arrivals not merely of able theologians and canonists, but also of bishops, increased day by day. During this delay, the Pope, still desirous of carrying out his original wish to hold the Council within his own territory, opened his purpose to the Emperor, who, at once, through fear of the Protestants, objected to it, and expressed himself contented that the Council should be proceeded with at Trent. Accordingly, in a Consistory, held on the 16th of November, 1545, it was resolved that the Council should open on the 13th of December following; a breve to that effect was expedited on the 4th of December, to the Legates, and a Bull issued to the Christian world. It was also arranged that the prelates of Germany, on account of their peculiar circumstances, should be allowed to appear by proxy. All the bishops present at the Council were freed from the payment of tithes, and empowered to receive their episcopal revenues during the time of their absence from their dioceses. Various instructions were also forwarded to the Legates in reply to their inquiries:—they were to treat of doctrine at once, notwithstanding any opposition to the contrary; the opinions, and not the persons, of heretics were to be condemned; but they were not to content themselves with a general condemnation of heterodox tenets, but to proceed to details also; the matter of reformation of discipline, as being of secondary importance, was not to be proceeded with at once, but to be deferred, though not so as to give occasion to a belief that it was not also in due time to be attended to. As regarded the reformation of the courts of Rome, they were to listen and attend carefully to such suggestions as might be offered in the Council, but to leave the determination of the matter to the Pope, whose business it was, and not that of the Council, to apply a fitting remedy. All letters and other documents, expedited in the name of the Council, were to bear

the signatures of the Legates, as presidents, and of the Pope whom they represented; and to have the seal of each, or at least of the first, of the Legates; finally, they were empowered to bestow indulgences, but not in the name of the Council.

In the midst of these arrangements, an unexpected difficulty was occasioned, by an order from the King of France for the return of the prelates of that nation.^(†) The Bishop of Clermont instantly departed, and after much trouble, and not without threats of enforcing a breve of the Pope requiring them to remain, it was arranged, that, of the three remaining French bishops, the Bishop of Rennes should repair to the King; the Bishop of Agde linger in the neighbourhood of Trent, and further orders from the crown, which soon required him to return to Trent; and that the Archbishop of Aix should remain. A few days, however, removed the opposition of Francis. On the 7th of November, final directions were sent to the Legates to open the Council on the 13th of December; and a breve to that effect having arrived at Trent on the 11th of that month, a solemn fast, and public prayers and processions were appointed for the day following, to implore the blessing of Heaven on the undertaking. On the same day, was also held a general congregation of the prelates, one of whom, the Bishop of Jaën, expressed a wish that the breve appointing the Legates, and assigning their faculties, should be read on the following day, when the Bull indicting the Council would, according to custom, be read. This was not agreed to; as it seemed enough, to the majority of the prelates, that the last received breve, directing the Legates to proceed, on the day specified, to open the Council, should be publicly read.^(‡)

(†) They were four in number; Antoine Imbert, archbishop of Aix; Guillaume Duprat, bishop of Clermont; Claude de la Guiche, bishop of Agde; and Claude Dodieu, bishop of Rennes.

(‡) Notwithstanding this arrangement, it will be seen that the Bull for opening the Council was not read until the second session.

HISTORY

OF

THE COUNCIL OF TRENT.

Part Second.

SESSION I.

Opening of the Council.—Ceremonial observed.—Decrees.—Prelates present.—Appointment of Officers.—Number of Bishops from the Ecclesiastical States.

The 13th of December, 1545, the day appointed for the opening of the Council, having at length arrived, the method of procedure was regulated by that followed in previous Councils. The Legates, accompanied by the Fathers, having arrayed themselves in their pontifical robes in the church of the Trinity, and their intoned the hymn to the Holy Ghost, moved in procession to the cathedral dedicated to St. Vigilius. The regulars led the procession, and were followed by the secular clergy; then came the bishops, and lastly the Legates, accompanied by the ambassadors of the King of the Romans; and having arrived at the cathedral, Del Monte, as first Legate, celebrated a solemn high mass, at the close of which he bestowed, in the name of the Pope, a plenary indulgence on all present, requiring of them prayers for the peace and concord of the church. A sermon in Latin was then preached by Frà Cornelio Musso, the bishop of Bitonto; after which, the various prayers appointed for such occasions were recited by the first Legate, who gave the customary blessings to the assembled Fathers.

He then addressed a brief exhortation to the prelates, after the Bull of November the 19th, 1544, removing the suspension of the Council, and the Breve of the 22nd of February, 1545, nominating the Legates, had been read by the Bishop of Feltro.

The bishops having taken their seats were asked by the president, whether it was their pleasure that the Council should be declared to be opened; and next, whether considering the hindrances presented, to any immediate proceedings, by the festivals which were at hand, the next session should be held on the day after the Epiphany? To each of these questions, each of the prelates replied, by the customary form of approval, "Placet." Upon which Ercole Severoli, as promoter of the Council, demanded that an authentic record of the proceedings should be given him. At the close of the business, the hymn *Te Deum* was chanted; and the Legates, having taken off their robes, returned to their dwellings, preceded by the legatine cross, and accompanied by the Fathers. A similar ceremonial was observed at each succeeding session.

There were present at the opening, the three Legates, four archbishops, twenty bishops, five generals of religious orders, and the ambassadors of King Ferdinand.^(w) It was not till after the opening of the Council, that the Legates received their complete instructions as to the manner of conducting the assembly; nor that the officers necessary for the management of the public business were appointed. These instructions at length arrived, and were in substance such as they have been already represented; Achilles de' Grassi was nominated Advocate of the Council; Ugo Buoncompagni was chosen Abbreviator, to draw up, that is, the official documents; and Angelo Massarelli was deputed to the important office of Secretary, at first but for a time, but his great ability and aptitude

(w) Pallav. L. V. c. xviii. Le Plat's list is somewhat different. According to him, there were, besides the Legates, four archbishops, twenty-two bishops, and five Generals of Orders.

soon secured him that employment till the close of the Council. Only one point of importance remained to be regulated, which the Legates referred to Rome. They wished to know whether the votes were to be given by nations, or by individuals; and, at the same time, urged on the Pontiff the necessity of giving an example to the other princes, by sending to the Council bishops of distinguished reputation, moderation, and peacefulness. And, as it has been not unfrequently represented, that, of the prelates present, the majority were under the direct territorial influence of the Sovereign Pontiff, it may be well, once for all, to remark, that, so far was this from being the case, in reality not one in five of the bishops who assisted at the Council but was completely independent of that influence, and under the immediate control of some one or other of the great princes of Christendom; as the very slightest inspection of the list of bishops present, and of the countries from which they came, will at once evince. The history too of almost every session of the Council proves the complete independence of the bishops on the Pontiff; and the unanimity which, in the midst of interests the most varied, prevailed, as regards all, or nearly all, the decrees of faith, and even, as a general rule, in regard of discipline, is not the least marvellous fact in the history of this great event.

SESSION II.

Preparatory congregations.—The right of voting.—The representing clause.—Complaints.—Decrees.—Opposition.—Prelates present.

All was now busy preparation for the ensuing Session. Private congregations were almost daily held to consider the subjects to be treated of, and to prepare the necessary decrees. But, besides these most important matters, there were others, of less consequence indeed, but still requiring an immediate adjustment, which occupied the minds of the Legates and prelates.

It had to be decided whether any persons, besides bishops, should be permitted to give their vote on matters of doctrine; and, after some difficulty, it was settled, that this privilege should be allowed to the Generals of the Religious Orders, and that the three abbots of the Cistercian Order should have but one vote, as representing one order. As regards those prelates who might be prevented, by some lawful impediment, from being present at the Council, but who sent their proxies, it was resolved, that the decision as to the right of voting should in each case rest with the Sovereign Pontiff. Another subject of contention, which, though for a time adjusted, was never finally settled, was the title to be given to the Council, at the beginning of the decrees in each Session. Many, not content with the terms "general and œcumenical," wished to add the words "representing the universal church;" but the majority objected to the phrase, as not having been used in the ancient Councils, and as being useless when coupled with the words above-named; whilst the Legates regarded the expression as likely to give unnecessary umbrage, at the outset, to the Protestants, and as somewhat odious from having been employed by the Council

of Basil which ended in being schismatical ; whereas the Council of Constance had, in the peculiar circumstances of the Church and of the times, special reasons for adopting it. From a letter addressed by the Legates to the Pontiff, it is clear that the real cause of their opposition was the purpose for which, and especially the connexion in which, that phrase was used at Basil and Constance.

The spirit of independence, if not the affectation of supreme authority, which this dispute evinced as animating many of the Fathers, was further manifested in many minute particulars. Thus, they complained that the Legates had opened the letters of the deputy of the Spanish ambassador without the consent of the Council ; and when the Legates, for the more easy expediting of business, had appointed three of the oldest bishops to collect and give in the votes of the assembled prelates, they were compelled to abandon that arrangement ; whilst, even the exemptions from tithes, granted by the Pope to the bishops present at the Council, were cavilled at, as being the exercise of a power which ought to have been left to the Council.

On the day already appointed, the 7th of January, 1546, was held the second session ; at which Giovanni Fonseca, bishop of Castell á mare, celebrated the mass, and Coriolano Martirano, bishop of San Marco, preached. After the usual prayers, the secretary Massarelli read, in the name of the Legates, a long exhortation, composed by Cardinal Pole, in which the prelates were exhorted to the zealous practice of those virtues which their high office, and their present position, so forcibly demanded at their hands. The Bishop of Castell á mare then read the Breve^(x) which had fixed the 13th of December for the opening of the Council, and the Bull prohibiting votes by proxy. This was followed by the reading of the decree on the manner of life to be observed by the bishops, and others, at Trent, as given in the body of this work, under the second session.

(x) Dated Dec. 4, 1545.

The Placet was unanimous with two exceptions. William du Prat, bishop of Clermont, demanded that, in the prayers appointed to be said, the name of the King of France should be added to that of the Emperor, a request which was not complied with, as likely to produce similar demands on the part of other monarchs, and also as being a deviation from the usage of the Church in her prayers on Good Friday. The second opposition was on the part of several Italian and Spanish bishops, and of one French bishop, who objected to the omission of the words "representing the Universal Church."

Besides thirty-five theologians, as consultors, amongst whom were men of great eminence, as Soto, Oleaster, Catherinus, Vega, and others, there were present at this session, four cardinals, four archbishops, twenty-eight bishops, four generals of orders, and three abbots.

SESSION III.

Preparatory Congregations.—Faith and Discipline to be united.—Example given by Del Monte.—Prelates divided into three classes.—The Session and Decrees.—Death of Luther.

The first congregation, preparatory to the third session, was held on the 13th of January, and was principally employed on the vexed question of the title to be given to the Council, at the heading of the decrees. But, in the subsequent meetings,^(r) a question of greater importance arose, which was long debated with much violence and obstinacy. It was well known to be the wish of the Emperor, that the Council should confine itself, at first, to the reformation of discipline, as least likely to give umbrage to the Protestants, whom, from political motives, he was still anxious to conciliate ; but as the sovereign Pontiffs, in their various Bulls, had proclaimed one of the special objects of the Council to be the extirpation of heresy, the wishes of the Imperial party were resolutely opposed. It was represented, that it had been the custom of preceding Councils to begin with dogma ; that articles of faith being of most importance, it was but suitable that they should have precedence ; and that, whereas the faith of the Church was clear and easy of definition, great difficulties surrounded the subject of reformation, which, being a matter, in great part, regulated by varying times and circumstances, required calm and deliberate investigation ; otherwise, it might happen that they might change, without reforming, the abuses complained of. These and similar reasons, it was urged, had induced the Pontiff to require of the Legates, that faith alone should at first be treated of. But

(r) On January 19th and 22nd.

it was soon apparent to the Legates, that this command could not be complied with, without an open rupture with many of the prelates ; of which they speedily informed the Pontiff through Cardinal Farnese, and, after some delay, the advice of Campeggio, bishop of Feltro, was followed—that both faith and discipline should be treated of together, the one proceeding uniformly with the other.

As an example to the rest, the first Legate, after returning thanks to Almighty God for the desire manifested by the prelates to reform whatsoever real abuses existed in their order, declared that he would at once renounce his bishopric of Pavia, lessen the number of his attendants, and in every feasible way reduce his expenditure ; a declaration which filled the majority of the bishops present no less with wonder than joy ; whilst it confounded others, who, in urging the necessity of reform, had not anticipated that the work was so speedily to begin with themselves.

The Cardinals Cervini, Pacecco, and Pole followed in the same train as the Cardinal Del Monte ; and admonished the Fathers, that the reformation ought to commence with themselves, and extend to ~~whatsoever and wheresoever~~ abuses existed unworthy of the purity and perfection of the Christian character.

On being informed of the determination to unite faith and discipline, the Pontiff was highly indignant ; reproved the Legates ; and insisted on their withdrawing their concurrence. But after some difficulty, it was finally arranged, that the treatment of faith and discipline should not have place in the next, but begin with the ensuing Session ; a compromise which tends to confirm the remarks already made, on the perfect freedom, and independence on the Pontiff, of the assembled Council.

In order to facilitate business, and to secure a more calm consideration for each question, the prelates were divided into three congregations ; one of which met at the residence of each of the Legates. The result of their deliberations was to be communicated to general congregations, to be there finally examined and decided on,

previous to the public Session. These assemblies began first to meet on the 2d of February, and in each of them it was stated, that many bishops were known to be either on their way to Trent, or preparing for their journey; and it was proposed that all further decisions should be suspended and avoided until after their arrival. This delay seemed but reasonable to the majority; but, by the advice of the Bishop of Fano, it was resolved, though not without opposition, that, after the manner of antecedent Councils, the Creed, as recited in the Mass, should be proposed publicly for acceptation in the approaching Session.

That Session, according to appointment, was held on the 4th of February, 1546. Pietro Tagliavia, archbishop of Palermo, sang the solemn Mass; and the sermon was preached by Ambrogio Politi, better known by his religious name, Catherinus. The celebrant read the two decrees given under the third Session,—the one accepting the Creed, the other appointing the 8th of April for the next Session.

It may be remarked that, though no decree was promulgated binding the Council to treat conjointly of faith and discipline, it had nevertheless been clearly understood, in a general congregation, that such was to be the method pursued in the following Sessions.

There were but three dissentients, on the proposal of the first decree; and their objections were not to the Creed, but to the omission of the representing clause. Two also entered their protest against the omission of a decree binding the Council to treat conjointly of faith and discipline.

There were present, besides the three Legates, the Cardinals of Trent and of Jaën, twenty-seven bishops, three abbots, five generals of orders, and Father Le Jay, as the proctor of the Cardinal Bishop of Augsbourg.

It was about this time, that is, on the 18th of February, 1546, that Martin Luther died, in the territory of the Counts of Mansfeldt, where also he was born. This is not

the place to enter into an examination of the various, and often contradictory, qualities of this man. But, his learning may be measured by his writings ; his sincerity by his repeated offers of silence provided his adversaries would remain quiet ; his morality by the authorization of polygamy in the person of the Landgrave of Hesse ; his religious system by the motives which prompted it, the changes which it continually underwent, and by the few years which have seen it, piece by piece, almost universally abandoned ; his distinctive principle, by the herd of fanatics and sects that, in following it, have disgraced Christianity by their tenets, and by the more vile theories of rationalism and thinly disguised infidelity that have emanated from it.

SESSION IV.

Canon of Scripture.—Questions regarding it.—Opinions held in the Congregations.—On the anathema appended to the decree.—Arrangements to expedite business.—Congregations of Theologians and Canonists.—Deputies to prepare the decrees on Reformation.—Apostolical Traditions.—Debates on that subject.—The Council of Florence.—The representing clause.—On receiving Apostolical traditions and Scripture with equal affection of piety and reverence.—The catalogue of sacred books.—The authorized version.—New edition of the Vulgate proposed.—Rule of interpretation.—On commentaries, and printers.—Scriptures in the vernacular tongue.—The Session.—Number of Prelates present.

In the first general congregation, held on the 8th of February, 1546, the Legate Del Monte,—after a few remarks on the representing clause, and on the omission, in the last session, of any decree binding the Council to unite faith and reformation in its proceedings,—proposed, as the subject to be examined and prepared for the ensuing session, the canon of sacred Scripture ; which, as involving the settlement of the groundwork of faith ; and as a matter which the heretics had thrown into doubt and confusion ; it was desirable first to dispose of.

This being agreed to, three questions were, on the 11th of February, placed before the private congregations to be considered.

1. Were all the books, commonly received as forming the Old and New Testaments, to be proposed as sacred and canonical.

2. Was such approval to be given without any fresh examination of the evidence in their favour.

3. Was it advisable to divide the sacred writings into two classes; one, comprising such books as the Proverbs and Wisdom, to be read for edification; the other, containing such writings as were to be used for proof of doctrine and morals. This last question was urged at the instance of Bertan and Seripando, and especially of the latter, who, in an essay of much learning, endeavoured to support the proposed division as the best and most orthodox. It found, however, few or no supporters, and was accordingly silently dropped, as utterly untenable as a question of fact, and as opposed to the received opinion and practice of the Church.

Neither was there any great diversity of opinion as regards the first question. Cardinal Cervini expressed the almost unanimous sentiment of the Council, when, in the general congregation of the 12th of February, he declared that, although many heretics and a few Catholics, had denied the inspiration of some of the ordinary books of which the body of Scripture is composed, the matter had been long since practically settled; by a gradual but accumulating evidence expressed and represented, with greater or less fulness, in various authentic records derived from the early ages of the Church; and that so uniform a practice and belief prevailed on this head throughout the Christian world, prior to the new-born heresies, that no doubt could remain that the whole of the books of Scripture, as used in the Church, were to be acknowledged and proposed as the word of God.

On the second question, there was much diversity of opinion; not only amongst the Fathers, but even between the Legates. The Cardinal Del Monte was opposed to any fresh examination; whilst Cervini and Pole were desirous that the evidence in favour of the inspiration and canonicity of each of the deuterocanonical writings should be carefully stated, and the ordinary objections answered. The former appealed to the principle ever acted on in the Church,—that what has once been settled as regards faith, by Councils approved of by the Church, shall never again,

not only not be doubted of, but not even be subjected to a fresh conciliar examination. That examination had been made by eminent prelates; the result recorded in the public acts of the Church; the decision had received the tacit sanction at least of the Church, and as such was not to be disturbed, or, by renewed examination, treated as if doubtful. As to the objections of heretics, their refutation had been undertaken, and satisfactorily accomplished, by many able Catholic writers.

On the other hand it was urged, that the examination proposed was intended, not to throw doubts on the past decisions of Fathers and Councils, but to confirm them; and to furnish a clear and ready answer to the objections of modern separatists.

In the private congregation at which Cervini presided, this second opinion prevailed; but, in the general congregation, held on the 12th of February, no decision was come to; and in that of February the 15th, so great was the confusion and difference of opinion, that it became necessary to take the votes of each separately and by name. From this scrutiny there appeared, as has been said, the most perfect unanimity in receiving as canonical the usual books of Scripture; but, as to adding an anathema against such as refused to admit all the deuterocanonical writings, there was a difference of sentiment: Cardinal Pacecho, and with him the Legates, and more than twenty of the Fathers, being in favour of the anathema, whilst Madrucci, followed by fourteen of the bishops, opposed it. As to the renewed examination of the evidence in favour of the books of Scripture, it was arranged, in the congregation of the 20th of February, that a private examination should be entered upon; such as might enable them to give an account of their faith on this head; but that the result was not to be registered amongst the public acts of the Council. To expedite and facilitate business, several useful arrangements were now come to; the first assigning, to each of the three congregations, two of the Fathers—one eminent in theology, the other in canon law—whose duty it should be to draw up

the decisions come to on Scripture and Tradition;^(z) the second was of a permanent nature, and consisted in dividing into three classes, or committees, the theologians and canonists, who had repaired to the Council in considerable numbers, and comprised some of the most profound scholars of the day. They were henceforth to be employed as consultors to the assembled prelates; were to be presided over by the Legates, with a recommendation to the bishops to assist at their deliberations, but not to take any part whatever in their proceedings. The various questions placed before the three congregations of prelates, were also to be submitted to these classes of theologians, and the result of their examination was to be referred to the congregation of bishops, to be by them considered, prior to the general congregations and sessions. About the same time,^(a) in order that discipline might proceed together with faith, as had been agreed on, eleven of the Fathers and theologians were deputed^(b) to consider and report on the abuses that might be found to have crept into the use, whether of Scripture or of Tradition.

These regulations having been completed, the private congregations proceeded to consider divine and apostolical traditions—such doctrines, that is, and practices, as, taught by Jesus Christ and his apostles, have not been recorded in the sacred writings, but have been transmitted, in various ways, from age to age. Numerous congregations, both particular and general, were held on this subject. On the existence of such traditions all were agreed; but whilst some insisted that the received traditions should be distinctly specified, others were as urgent that they should be approved of in the most general manner possible, even to the exclusion of the distinctive term apostolical, for fear of

(z) The prelates, appointed to this office, were Salvador Alepùs, archbishop of Sassari, the Archbishops of Matera and Armagh, and the Bishops of Badajoz, of Belcastro, and of Feltro.

(a) In the congregation of February 18th.

(b) They were Filholi, archbishop of Aix; Vigerius, bishop of Sinigaglia; the Bishops of Cava, Castellamare, Faenza, Bettono, Astorga: aided by Seripando, Alfonso di Castro, Richard of Mans, and Catherinus.

seeming to repudiate such usages and rites as could not be traced to that source. After repeated meetings, a growing sentiment of agreement spread amongst the Fathers, that the decree of the Council of Florence should be their guide, not only on the canon of Scripture, but also on Tradition; when the Bishop of Chioggia objected, that the decree of Florence was dated the 4th of February, 1441, whereas, as he was of opinion, that Council actually terminated in 1439. To this the first Legate, prompted it is thought by Cervini, replied, that it was true that the Greeks left the Council at the period named; at the close, that is, of the seventh session; but that the Council in reality continued open at Florence for three years more; was finally transferred to Rome; and that there could be no doubt of the authenticity of the decree in question, since it was preserved in the Castel S. Angelo, at Rome, signed by the names of the Fathers then present, and authenticated by the Pope's seal; and that Cervini had himself seen and examined the originals. Later, at the request of Cervini, Cardinal Farnese sent an authenticated copy of the document in question.

At length the six deputies, commissioned to draw up the decree on Scripture and Tradition, in conformity with the sentiments of the various congregations, presented the fruit of their labours to the assembled Fathers. The Bishop of Fiesoli at once raised the old objection to the omission of the representing clause, and to the insertion of the words "the Legates of the Apostolic See presiding." As to the omission, it was again replied by Cervini, that the words were unknown to the ancient Councils, and had not been used by any Council at which the Pope presided; whilst, as to the words inserted, he endeavoured to show that they had been employed by some of the most ancient synods of the Church.

Against the exposition of the sources of faith,—wherein it was decided, that the Council received the written revelations of God, together with the unwritten revelations, or traditions, which, uttered by Jesus Christ to the

apostles, or made known to them by the illumination of the Holy Ghost, had been handed down from age to age, even to the present day,—it was objected by some, that the statement was too limited ; by Seripando that it was too extensive ; but the difficulties of both these parties were surmounted after a brief explanation.

The declaration, that both the written and the unwritten word were received “with equal affection of piety and reverence,” was opposed by Bertan, on the plea, that, though every truth is from the first great truth, yet is not every truth to be revered as the word of God. To this Musso replied, that the traditions, equalled with the written word, were such only as were equally the revelations of God ; merely differing in the accidental circumstance, that the one class of truths was recorded in writing by the apostles, whereas the other was preached and transmitted by the same authority. That, as the being written did not make certain registered truths the word of God, neither did the being not written cause the traditions treated of to cease to be the word of God. But, though this was the sentiment of the great majority, and a truth so obvious, Musso, in the next congregation,^(c) was willing to place, instead of *equal*,^(d) the word *like*, or *similar* ;^(e) a change, however, which was not acceded to.

In the general congregation of the 5th of April, the bishop of Chioggia raised a more intemperate opposition ; regarding the traditions as laws, not as revelations ; and pronouncing it impious to declare them of equal authority with the written word. This sentiment had no approvers, but excited the indignation of the whole assembly ; which soon caused him to explain away, as best he could, his strong censure.

As regards the list of the sacred writings, the proposed phrase, *psalms of David*, was objected to, as seeming to decide that all those pieces were from the pen of that

(c) April 3, 1546.

(d) *Pari*.

(e) *Simili*.

king and prophet ; and accordingly the words *Davidical Psalter* were substituted. The acts of the apostles which, in the proposed draft of the decree, were placed after the epistles of St. Paul, were, in the same general congregation, put after the gospels.

A more violent discussion arose, or was renewed, on the proposal to append an anathema against those, who, in the words of the decree, as proposed, "violated the sacred books and apostolical traditions." Seripando remarked, that such an anathema had never heretofore been added to any canon prepared by any previous authority ; and proposed, that at most there should be imposed an excommunication, and that not to be *ipso facto* incurred, but to be launched by competent authority. The example, however, of the seventh synod was cited against him ; and it was resolved that no alteration should be made, in this respect, in the decree.

He likewise objected to the proposed words, "violators of Scripture and of Tradition," as being too general, and they were accordingly changed into those now found in the decree, "If any one receive not," &c.

The question of the abuse of the Scripture came next under consideration ; and four especial complaints on this head, and their remedies, as proposed by those named above as delegated for this purpose, were examined in the general congregations.

1. The great variety of translations current in the Church was an evil to be remedied ; and it was accordingly advised that one translation only should be regarded as authorized ; and for this purpose, St. Jerom's version, or the Vulgate, was selected and proposed, as being the most ancient ; the most used ; as representing more correctly the state of the ancient copies of the Greek and Hebrew Scriptures than any other Latin version, or even, probably, than any other then, or now, existing, Greek or Hebrew edition ; and finally, as having been prepared ages before the modern disputes, and therefore unbiassed by them.

2. The mass of various readings found in the different editions of the Bible, both in the Latin, Greek, and Hebrew copies, rendered it advisable, that as accurate an edition as possible should be printed, under the care of the Sovereign Pontiff, and a copy be forwarded to every episcopal church.

3. The license of interpretation being the great evil of the day, various regulations were proposed as calculated to secure a more accurate exposition ; and, amongst other proposals, it was recommended, that it should be forbidden to interpret the Scriptures contrary to the declared sentiment of the Church, and to the unanimous consent of the Fathers ; and that the license of certain ecclesiastical censors should be required, previous to the publication of any commentary on holy writ.

4. Printers were found to publish from very incorrect editions of the Scripture, and to publish these, and notes on the sacred books, without their own name, or that of the author : to remedy this evil, heavy penalties and fines were advised against all who should henceforth be guilty of such conduct.

Cardinal Pacheco was of opinion, that, in addition to the abuses above-named, the translation of the Scriptures into the vulgar tongue, ought, in such evil days as they had fallen upon, to be enumerated as one of the most prominent evils ; remarking that, for ages, the Scriptures had not existed, even amongst the Jews, in the vernacular tongue ; but he was reproved civilly, though warmly, by Cardinal Madrucci, who reminded him, amongst other things, of the scandal which such a procedure would give to Christendom, and what a triumph especially it would furnish to the Germans ; and declared that any such act would be opposed to the advice of St. Paul, who would have the sacred word familiar to the faithful. This opinion prevailed ; though there were not wanting some who thought the advice of Pacheco, as a rule for extraordinary circumstances and times, sound ; and considered, that certain parts, at least, of the sacred writings were neither

intended for promiscuous study and reading, nor beneficial to all; and that the history of the Church, both Jewish and Christian, would furnish no mean support to a judicious restraint on the indiscriminate use of the vernacular Scriptures. The first recommendation of the delegates was unanimously adopted by the Fathers; but Cardinal Pacheco not only desired that the Vulgate should be proposed as the authorized version, but also that all others should be repudiated, especially those by heretics, and would have the rejection extend even to the Septuagint. This was strenuously opposed by Bertan, as being contrary to the practice of the Church, which not only had used the Septuagint, but had availed itself also of the versions of Theodotion, Symmachus, and Aquila. It was also recommended, by some of the bishops, that the Council should select and propose some one copy of the Greek, and of the Hebrew, and even of other languages, as authorized by it; but to the majority it seemed sufficient to confine themselves to the Vulgate, as being a version into a language more extensively understood than any other throughout Christendom. So that, on this head, the recommendations of the deputies were solely and fully agreed to.^(†)

2. As to the proposed corrected version of the Vulgate, it was decreed, "that an edition was to be printed in the most correct manner possible."

3. The resolutions come to on the interpretation of the sacred Scriptures will be best seen in the translation of the decree given in the body of this work. But it may be remarked, that the bishop of Chioggia noticed, that the words of the decree were not to be understood of any kind of difference from the unanimous interpretation by

(†) It may be useful to remark, that Vega, in the congregation at which he assisted, explained the words of the decree, as asserting the entire freedom of the Vulgate from all errors against faith and morals, but not from such imperfections as are incidental to all translations. See this subject well treated of by Pallavicini, L. VI. c. xvii. p. 573—582.

the Fathers, but of a direct opposition to, and contradiction of it; and that to give a new exposition to a passage, which, neither by the authority of the Church, nor by the unanimous consent of the Fathers, had received a fixed meaning, was in no way opposed to the mind of the Council.

The cardinal of Jaën was urgent, that all commenting on the Scriptures should be confined, to Doctors and Clerics; but he was warmly resisted by Madrucci and the majority of the Fathers, who contended that, as the Scriptures were written for the instruction of all, so might all study them, and give, if they pleased, the result of their meditations to the world; and that the establishment of censors was a sufficient security against any danger from heterodox interpretations.

4. It was agreed, at the suggestion of Madrucci, that no work on the sacred Scriptures should be allowed to be published without the name of the author: and, with regard to printers of the Scriptures, the decree of the last Council of Lateran was adopted and confirmed.

Though very many other suggestions were offered, in regard of various other abuses of the Scriptures, but little further was done, on this subject, in this session.

Meanwhile the members of the Council went on increasing; as, during the congregations just held, there had arrived, besides the Imperial ambassadors, several Spanish, Greek, and Italian bishops.

Such were the various matters treated of in the committees and congregations, prior to the public Session, held on the 8th of April, 1546. On that day, the archbishop of Sassari having celebrated the mass, and the general of the Servites preached, the decrees agreed upon were publicly read by the celebrant, and approved of with but slight opposition, as all gave their *Placet*, without remonstrance, except the following. The bishops of Cappaccio, Fiesole, Badajos, and Osca, renewed the demand for the representing clause; whilst the bishop of Chioggia, instead of the usual term of approval, answered, "I will obey,"

thereby intimating his discontent with the clause that receives, with equal reverence, the Scriptures and apostolical traditions; against which clause, Soranzo, coadjutor bishop of Bergamo, also expressed some slight objection.

There were present at this Session, the three legates, two other cardinals, eight archbishops, forty bishops, and the same abbots, and generals, as in the preceding Session.

SESSION V.

Congregations.—Original sin to be treated of.—Reforms proposed.—Heads of Inquiry on Original Sin.—Propositions extracted from heretical Writers.—Principle followed in framing the Decrees.—Opinions prevalent in the Congregations.—Proposed Declaration relative to the B. Virgin.—On Infants who die unbaptized.—General character of the Decrees.—Reformation.—Decrees on.—Complaints against the Regulars.—Bishops to act, in certain cases, as Delegates of the Apostolic See.—Final changes in the draught of the Decrees.—The Session.—Dissentients.—Prelates present.

Having laid the foundation of the structure of faith, it was resolved to proceed to the heresies of the day, and first of all to the question of original sin, as being the groundwork of the whole mystery of redemption; and then to pass on to the closely connected subject of justification, whereby original, and other, sin is destroyed; and finally, to the sacraments, as the divinely appointed means of obtaining, preserving, and strengthening us in the grace of God.

This determination was communicated by the Legates to the Sovereign Pontiff, in a letter in which they recommended various reforms in favour of episcopal residence

and jurisdiction ; subjects on which we shall soon have to treat in detail. To this the Pope readily assented, but not so the Imperial ambassador, and many prelates who knew the anxious desire of the Emperor, not to inflame the minds of the Protestants by decrees adverse to their novelties. But, neither the arguments, nor the threats, of Toledo, the Imperial envoy, could move the Legates from their purpose ; in which they were speedily confirmed by a letter from the Pontiff, which caused them to proceed at once, in the private and general congregations, to the consideration of the question of original sin ; notwithstanding the entreaties of the ambassador, for a delay at least, until he could receive an answer from the Emperor.

Accordingly, in a general congregation, held on the 28th of May, the Cardinal Del Monte proposed that they should resume the examination of the doctrine of original sin, on which they had already been employed, slightly in their public, and much in their private, meetings ; a proposal, which, after some opposition, was agreed to. It was then resolved that their inquiries should be directed to these five points : the nature of original sin ; the manner of its propagation ; the effects produced by it ; its remedy ; and the effects of that remedy.

There were also, at the same time, placed before the Fathers the following propositions, extracted from the writings of the heretics, to be examined, and, if declared heterodox, to be condemned :

1. That though Adam, by his transgression of the prohibition of God, lost his original justice, incurred the anger of God, and subjected himself to the penalty of death, yet did he not transmit sin, but only the punishment of sin, to his posterity.

2. That the sin of Adam is called original, because it has been transmitted from him by imitation, but not by propagation.

3. That original sin is the ignorance or contempt of God, causing man to be without trust in God, without fear, and without love of Him, and subject to concupis-

cence ; is, in fact, a general corruption of the whole man, in his will, soul, and body.

4. That there is in children a proneness to evil, which, when they come to the use of reason generates a distaste for good, and a love for evil ; and that this is original sin.

5. That children, though baptized for the remission of sin, are not born in sin, and this especially as regards the children of the faithful.

6. That baptism does not efface original sin, but only causes it not to be imputed, or as it were erased ; so that, though it begins to be lessened, it is never utterly destroyed, in this life.

7. That this sin, by remaining in the baptized, retards their entrance into heaven.

8. That concupiscence is truly and essentially sin.

9. That, besides death, and the other penalties of original sin, the fire of hell is its appointed punishment.

These opinions, therefore, and the questions already named, were subjected to long and minute examination.

On the nature of original sin, and the manner of its propagation, the numerous and well-known systems of the various schools were urged with great earnestness and ability by the various representatives of those schools ; but, as the Council firmly adhered to the principle, that, not the opinions of the schools, but the heresies of the times were the object of their meeting ; and that, consequently, in the decrees, everything should be carefully avoided, which might seem in the least to give the preference to one class of opinions over another on these mysterious subjects ; it is not necessary to enter into any details on the usual scholastic systems, or to analyze the lengthened arguments which occupied the congregations for months, on the nature or quiddity of original sin, and the specific manner of its transmission. It will suffice to remark, that, in the private congregations, the opinions of St. Thomas, on the first question, urged by the Bishops of Motola and of Bossa, both of the order of St. Dominick, seemed to find most favour ; whilst, on the second, the

ingenious explanation, or illustration, urged with consummate skill by Catherinus,—who argued for the existence of a covenant between the Almighty and Adam, by which the obedience or disobedience of our first parent was to affect the whole human race either for good or evil,—was looked upon as furnishing a simple, perhaps a probable, solution of a great difficulty ; though, it was felt, that, despite his ingenious interpretations of Scripture in favour of his views, the existence of that pact or covenant remained still to be proved. It will, accordingly, be seen in the decrees of the Council, that, contenting themselves with asserting the existence of original sin, and its actual propagation, the Fathers condemn the contrary heresies, but avoid all notice of the various systems, by which the nature of that sin and the manner of its transmission, are attempted to be explained.

When those decrees were read in general congregation on the 8th of June, Cardinal Pacheco required that, to the second canon which asserts the transmission of original sin to the whole human race, there should be added the words : “As regards the Blessed Virgin, the Council does not intend to define anything ; although it is piously believed, that she was conceived without original sin.” This opinion had a majority in its favour, but was opposed by all the bishops of the Dominican order, and by a few other prelates, as a deviation from the resolution not to condemn any opinion prevalent in the church : for, as it seemed to them, to declare one opinion pious, was indirectly to condemn the contrary as impious. It was at length, after much debate, agreed, that the obnoxious words should be expunged ; and that the council should content itself with citing the well-known declaration of St. Augustin,^(*) that, when speaking of sin, there was no intention of including the blessed mother of God ; and with renewing the decree of Sixtus IV. on this vexed question.

(*) *Excepta itaque sancta virgine maria, de qua propter honorem Domini nullam prorsus cum de peccatis agitur, haberi volo questionem. De nat. et grat. c. 36.*

As regards the other points: there was neither difficulty, nor difference of opinion on the effects of original sin, and the punishments inflicted on that sin: but a question arose as to the nature of the punishment endured by infants who die in original sin; unregenerated, that is, by baptism. This being one of those questions agitated in the schools, no mention is made of it in the decrees; but, in the congregations, the opinion of St. Thomas found most favour; which, whilst it excludes them from the beatific vision of God, considers them free, both from the pain of sense and of loss, and in a state where existence is preferable to annihilation.

That baptism is the appointed remedy of original sin, and restores man to the grace and favour of God, making him the heir of heaven, was universally admitted; and it was also equally agreed, that nothing that has the true nature of sin remains in those regenerated by that sacrament; and that, consequently, concupiscence is not properly speaking sin, though it incline to, and is one of the effects of, sin.

Finally, it will, at a single glance, be seen, that the propositions extracted from the writings of the Protestants, especially of Zuingli, are directly and especially condemned in the decrees of the Council.

It has been already said, at the beginning of this section, that very important reforms in favour of episcopal jurisdiction, and tending also to promote the residence of prelates in their dioceses, together with the restriction, or prohibition, of pluralities, had been proposed, by the Legates, to the Pontiff: it was, however, determined, that, before touching on subjects so vast and important, certain reforms, connected with the use of the sacred Scriptures; the establishment of more numerous lectureships on those writings; and the more frequent preaching of the word of God, should be considered and resolved on in the present Session,—matters which had already engaged the attention of the Council, in the preceding Session, but on which no specific decision had been come to.

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In the congregations held on these points, we find very bitter complaints, on the part of some of the prelates, and especially by Martelli, bishop of Fiesole, against the privileges and exemptions granted to the Regulars in their dioceses ; so as to leave the ordinaries, it was represented, but the name, without the authority, of bishops : that to the Regulars alone was practically confined the office of preaching ; to them the confessional ; in a word, nearly the whole ministry and government of their churches. These representations were replied to, with his usual moderation and skill, by Cardinal Pole ; and with more severity, in the next congregation, held on the 18th of May, by the Cardinal Del Monte, who declared that the imputations, cast on the Regulars, were both injurious to the Roman Pontiffs, and insulting to the Regular orders. Martelli, finding himself opposed to the great majority of the Council, was obliged to apologize.

Numerous congregations having been held on the contemplated reforms, it was at length resolved, that, not only in cathedral, and metropolitan, churches, and other such places, a lectureship on sacred Scripture should be established where such did not already exist, but also that a similar arrangement should be made in all houses of Regulars ; as may be seen in detail in the first chapter on Reformation.

The provisions of the second chapter regard the duty and office of preaching, which was to be exercised by the bishops in their own dioceses ; and certain limitations of the privileges of Regulars, who were not thenceforth to be allowed to preach, except in churches belonging to their own order, without being licensed by the bishop ; and, even before preaching in those of their own order, were to receive the episcopal benediction. Other wise regulations on this subject will be found in the chapter named.

Besides the above reforms, the means of enforcing the residence of bishops came under long and repeated consideration ; but it was at length agreed to reserve that subject for after deliberation, when the obstacles to residence should have been more effectually removed.

In reading the first chapter on reformation, in this Session, a phrase will be met with, which occurs very frequently in other parts of the Council, and which it will be well briefly to notice here. The bishops are empowered to act "as the delegates of the Apostolic See," in certain cases of negligence on the part of superiors of the Regular orders. This phrase was adopted as a compromise between the Regulars and the Bishops, in cases which had heretofore been, by special privilege, reserved to the Sovereign Pontiff. On the one hand, therefore, it was resolved, practically to restore the episcopal jurisdiction; and, on the other, it was wished, in name at least, to respect the privileges of the religious; and, for this end, the bishops were empowered to exercise indeed their jurisdiction—in certain matters hitherto privileged and exempted—but not by their ordinary power, but as deputed thereto by the Apostolic See.

Such were the matters that occupied the various congregations, until within a few days of the fifth Session. The deputies had now drawn up the proposed decrees, according to the votes of the assembled Fathers, and the result of their labours was laid before a final general congregation, held on the 8th June. The principal verbal alterations made, on that occasion, in the form of the decrees prepared by the delegates, were the following:—

In the first decree on original sin, instead of "the justice wherein Adam had been created" (*creatus*), there were substituted the words, "the justice wherein he had been constituted" (*constitutus*); in consequence of a remark by Cardinal Pacheco, that it was not certain that Adam was endowed with that justice at the first moment of his creation. In the same decree, after declaring that Adam, by original sin, was deteriorated both in body and soul, there were originally added the words, "and no part thereof remained uninjured," which were unanimously eliminated. When considering the fifth section of the decree, there was some controversy relative to the words, "all that which has the true and proper nature of sin," and more on the

words which follow, that "in those born again, there is nothing which God hates;" but both declarations were retained; the former, as not being opposed to the existence of concupiscence, which, though called *sin* by St. Paul, is so called as being an effect of sin, and inclining to it; and the latter, upon its being represented, that the word *born again* (*renatus*) was deliberately used instead of *baptized* (*baptizatus*); as there is not anything in the regenerate which God hates with a hatred of enmity, though, in the baptized, there may be, if baptism be not received with due dispositions.

At the fifth Session, which was held on the 17th of June, 1546, Alexander Piccolomini celebrated the mass, and the sermon was preached by Marco Laureo. The decrees having been read, the only remonstrants were Cardinal Pacheco and certain bishops, who were discontented with the clause relative to the Blessed Virgin; the Bishop of Cava, who still was dissatisfied with the declaration, that, in the regenerate there is nothing which God hates; whilst three prelates renewed their protest against the omission of the representing clause. There were present at the Council, four cardinals, nine archbishops, forty-eight bishops, two abbots, and three generals of religious orders.

SESSION VI.

Preparatory Congregations.—Justification ; and impediments to Episcopal residence, the subjects to be treated of.—Heads of inquiry on Justification, as laid before the Consultors.—Opinions held in the Congregations.—The same subject, as placed before the Bishops.—Deputies appointed to prepare the decrees.—Their report remodelled.—The Catholic doctrine to be stated fully, and the errors of the innovators separately condemned.—The prepared draught retouched.—Character of the decrees.—Final alterations.—Decrees on Reformation.—Impediments to residence.—The Session.—Dissentients.—Doubts as to the passing of the decrees on Reformation.—Actual decision.—Number of prelates present.

On the 21st of June, a few days that is after the preceding Session, was held the first general congregation ; in which Cardinal Cervini, in the absence of the first Legate from illness, addressed the assembly on the subject of justification, which was now to occupy their attention ; and referred to those impediments to episcopal residence, which were to be considered and removed, before enforcing the penalties of non-residence against the prelates. He, supported by Pole, represented to the Fathers the great importance of the subject of justification ; reminded them that no preceding Council had been called upon to state fully the doctrine of the Church on this article ; that Luther's doctrine of justification by faith only was at the root of most of his errors on the sacraments, the power of the keys, and even on indulgences and purgatory ; and that therefore, as, in the preceding Session, they had stated the doctrine of the Church on original sin, it behoved them to point out its real remedy, with equal care and accuracy.

Cardinal Pacheco then addressed the assembly, and recommended that, on so extensive and fundamental a subject, the consulting theologians should first examine the various points into which the matter divided itself, and present a digest of that examination to the Fathers ; and that, meanwhile, other deputies should apply themselves to the obstacles to episcopal residence. This advice was followed ; and, on the 22nd of June, the subject began to be discussed under the following heads, by the theologians, in the presence of the legates and many of the bishops.

1. What is the meaning and the essence of justification ; what is meant, that is, by the expression, a man is justified.

2. What are the causes of justification ; that is, what does God effect, and what is required on the part of man.

3. How are we to understand the words of St. Paul, man is *justified by faith* ?

4. Whether, and in what manner, works before, or after, justification concur thereunto ; and what share have the sacraments therein.

5. What precedes, accompanies, and follows justification.

6. The authorities, whether Scripture, Councils, Fathers, or Apostolical Traditions, on which the answers to the proposed questions rest.

On the first point, it was agreed, that the word justification signifies the passage from the state of enmity with God, to that of friendship, and adoption as the child of God ; that, as to its essence, its formal cause is charity or grace infused into the soul. To this there was but one dissentient, in the person of Frà Lorenzo Mazzocchio, a Servite, who maintained an opinion, ascribed to the Master of the Sentences, but not followed in the Schools, that justifying grace is not a thing inherent in and interior to the soul, but the exterior assistance of the Holy Ghost.

He also, supported by two others, contended, on the second point, that free will concurs passively, not actively, in the work of justification.

On the third point also, the three above-named theologians, with only one other follower, maintained that man is said to be justified by faith, in as much as he is justified when he firmly believes that pardon will be granted him through the merits of Christ: whereas the rest of the theologians unanimously taught, that man is said to be justified by faith, because *without faith it is impossible to please God*; that it is the first remote disposition, and as it were the root of justification, but not its proximate and efficient cause, which is faith accompanied by baptism or penance; whilst its formal cause is faith animated by charity and sanctifying grace; *faith*, that is, *working by charity*.

So also on the fourth point, with the above exceptions, all agreed, that works antecedent to justification are only meritorious thereof *de congruo*, as disposing, that is, to justification by a certain fitness or congruity; whereas works, performed after justification and in the state of grace, being done in Christ, whose living member the just man is, and being made available by His merits, preserve and augment *de condigno* the grace received,—necessarily, that is, and essentially, as an effect due to their performance, through the merits, however, of Christ, and as the result of His gratuitous promises.

The fifth question, being involved in the antecedent points, was explained in accordance with the previous conclusions.

On the last day of June, the theologians placed before a general congregation the results of their inquiries; upon which, Del Monte, who was now sufficiently recovered from his illness to preside, observed that, from the report read, it seemed desirable to reduce and examine the question under three heads.

1. How is the Passion of Christ applied to him who is converted to the faith, and what grace is thereby afterwards obtained, or merited.

2. What is to be done by the justified in order to persevere in grace.

3. What can, and ought, he to do who has forfeited that grace ; can he recover it, and how ; and in what is this second justification like, or unlike, the first. Thus, the action of grace on man was considered in the three following states,—that of the infidel, or unbelieving, adult, when first converted and justified ; that of the justified who perseveres in grace ; and, lastly, that of the fallen who recovers it.

This decision was agreed to by all the Fathers, except Pelargus, the proxy of the Archbishop of Treves, who was of opinion that the proposed matters would be incomplete, without an inquiry into free will, the assent of which is, in adults, essential to justification. It was also resolved, that the writings of the heretics should be examined, and that such propositions as seemed heretical, on justification, should be placed before the Bishops for consideration. And accordingly, twenty-three errors, extracted from the writings of Luther, Zuingle, and other heretics, were, shortly afterwards, read in the congregations. Finally it was arranged, that no decree should be sketched, even by the consultors, until the whole subject had been considered by the Fathers of the Council ; and that, on each point, the sentiments of the Fathers present should be taken individually, and not collectively, as heretofore.

Almost daily congregations were now held ; and, the first point having been completely sifted, it was resolved, in the general congregation held on the 15th of July, to appoint four deputies to draw up a decree expressive of the sentiments of the Fathers on that subject. The votes, which were given secretly, were in favour of the Archbishop of Armagh, and the Bishops of Acci, Bitonto, and Belcastro. In the congregation of the 24th of July, these prelates presented the result of their labours ; but, upon being submitted to the judgment of the Fathers, it met with but little favour, as being obscure, overloaded with argument, and objectionable on other grounds. The draught, therefore, was confided especially to Seripan-

do,^(a) to be remodelled ; though, even after his labours, it was again altered in many particulars.^(b) It was, at the same time, resolved, that, for the sake of greater clearness, the Catholic doctrine on justification should be stated consecutively in a series of decrees ; and the errors of the heretics, on the same subject, be condemned in a number of canons, with the accustomed anathema. When this important task was completed, a copy was given to each of the Fathers, and one forwarded to Rome. But the remarks made on the first sketch were so numerous, that the document had to be rewritten, and even then it had afterwards to be changed in many places. The method followed in making the alterations was this. If the majority of the bishops concurred in recommending an alteration, it was invariably made ; if the change was of importance, even though suggested by but one prelate, it was submitted to all the Fathers individually ; if but of slight consequence, the matter was referred to some eminent theologian, and to the deputies who had been engaged in preparing the original draught.

The result of these protracted labours, which extended over several months, is found in the sixteen chapters, or decrees, and the thirty-three canons which form the dogmatical portion of the sixth Session ; and, if it be permitted to draw a comparison, between one division of the labours of the council and another, it will probably be thought,

(a) This commission consisted of three bishops, and three generals of orders, presided over by Cervini. Pallavicini only gives the name of Seripando.

(b) One reason of this may, perhaps, be found in the peculiar opinions entertained by Seripando on justification. According to him there are two kinds of justice : one intrinsic, which he again divided into two kinds ; the former being that whereby, of enemies, we become the friends of God, and this is effected by the grace infused in baptism ; the latter is that by which man is said to live justly, and this results from the acts of virtue performed by means of the grace above named. The second kind of justice is extrinsic to us, and consists in the justice and merits of Christ, imputed to us by God's mercy as our own, according to such measure, and for such effects, as God wills. It requires both this intrinsic and extrinsic justice to enable man to attain to everlasting glory. Only five theologians supported this system, which was impugned by the rest, and especially, in a very able argument, by Lainez, of the Society of Jesus.

that this section of the Council of Trent surpasses that of any other Session, and is not excelled by any other council of any age.

It will be useless to give a summary of decrees, which the reader can so easily and profitably study in their entirety; it remains, therefore, to notice such alterations as were made in the final congregations before the actual Session.

Towards the close of the first chapter, where it is said, that neither the Gentiles, by the force of nature, could free themselves from the power of the devil, nor the Jews *by the letter of the law* (per litteram legis), there had been placed, in the minutes, simply *by the law* (per legem). In a congregation, held on the 15th of November, Cardinal Pacheco, and the Bishop of Castellamare, had proposed to add, *alone*, to the word *law*; in order not to decide that the law was useless to salvation; and that the legal observances, performed as signs of faith in the Redeemer to come, were without merit. The actual alteration was made on much the same ground; to leave untouched, that is, the common opinion of the schools, in opposition to the Master of the Sentences who had denied that the Jewish sacramental rites conferred sanctifying grace, even as good works performed in faith and charity; and also to render the decree conformable to what the Apostle condemns in the Jews, when boasting of their privileges over those of the Gentiles,—that they alone had known and practised the letter of the law. Again; in the last words of the chapter, it is said that free will was *attenuated and bent down* (attenuatum et inclinatum); words substituted for *wounded* (vulneratum), in order to avoid condemning the school opinions on the effects of original sin on free will. Even this alteration was objected to by some, who wished the words to be altogether eliminated, or explained, by adding, “with the withdrawal of gratuitous gifts.” No alterations were made in the draught of the second, third, and fourth chapters; but, in the fifth, the words, “forasmuch as he is also able to reject it” (the

preventing grace of God), ⁽ⁱ⁾ were added at the suggestion of the General of the Conventuals, who, however, recommended a less judicious form; namely, "for it is in his power not to receive it."

The declaration, contained in the sixth chapter, that the justification of the unbeliever or sinner begins from *fear*, was discussed in various congregations, some thinking that *hope* is the first impulse, but the great majority of the Fathers decided to the contrary.

The words of the same chapter which describe the sinner as proceeding from the hope of pardon, to "begin to love God as the fountain of all justice," were not originally in the decree; but were, after some discussion, inserted at the suggestion of the Archbishop of Sassari, Claude Le Jay, Lippomani, and Pio, the General of the Conventuals.

The seventh chapter is directed mainly against the errors of Luther, especially on the formal cause of justification; on the actual remission and cancelling of sin; and his favourite doctrine of imputative justice. It also aims at the opinion of Seripando, on the intrinsic and extrinsic application of the merits of Christ, in justification; for, the Council having declared that there is but one formal cause of justification, the justice of God, that is, infused into the soul and inherent in it, any opinion, defending more than one formal cause of justification, is condemned.

The ninth chapter denounces that presumptuous certainty of salvation which was proclaimed by the heretics as essential to justification. It was proposed to declare, that no one could be certain of his salvation with "*Catholic Faith*;" but, after much debate, the words now contained in the decree were adopted; namely, "with that certainty of faith which cannot be subject to error," or, under which error cannot lie.^(k)

(i) Quippe qui illam et abjicere potest.

(k) Cui non potest subesse falsum.

In the fifteenth chapter, it was proposed to substitute the word *apostacy*, for infidelity or unbelief (*infidelitas*) ; but the latter was retained as being the term employed by Luther.

In the Canons, which are condemnations of the prevailing heresies, there was but little need of altering the form in which they had been prepared ; except in the fourth, where, instead of *man*, was put *the free will of man*, to meet such cases as the vocation of St. Paul.

The attention of the bishops was now specially directed to the subject of Reformation ; and directly to the residence of bishops. But the proximity of the day of Session did not allow them to enter upon many of those impediments to residence, which it had been proposed to examine, and to remove or alleviate. The following matters, therefore, were settled as a beginning of this great work.

It was declared to be obligatory on prelates to reside in their own dioceses ; and, to secure this most desirable object, the ancient canonical penalties were renewed, and fresh ones of great severity imposed. Whether the obligation to residence was of divine or ecclesiastical right,—a question which, later, occupied and divided the Council for so long a period,—was slightly touched on in this Session ; but was, at the suggestion of Del Monte, deferred. It was also resolved, that all who are charged with the cure of souls should be compelled to residence, by their Ordinaries ; and, even if deemed expedient to allow a temporary absence, the bishop, as the delegate of the Apostolic See, was to appoint a vicar, with a competent salary derived from the revenues of the benefice. All irregularities of conduct, on the part of Secular priests, and of Regulars living out of their monasteries, were to be taken cognizance of and punished by the Ordinaries. The exemptions, enjoyed by chapters, and others attached to the greater churches, were abrogated ; and bishops were prohibited, under pain of suspension, from exercising any pontifical function, in the diocese of any other prelate, without his express permission.

The Session, which, in consequence of the debates on justification, and other hindrances, had been postponed, was held on the 13th of January, 1547. The mass was celebrated by Andrea Cornaro, archbishop of Spalatro, and the sermon was preached by Tommaso Stella, bishop of Salpi. The decrees on justification were the first proposed, and were agreed to with the most perfect unanimity, with the following exceptions. Vigerio, bishop of Sini-gaglia, objected, that the decree was defective in its manner of treating on faith, and the divine mercy, and that, as regards the certainty of being in the state of grace, he approved of the decree, in so far as it was confined to the condemnation of the opinions of the heretics, as had been represented in the congregations. On the other hand, the bishop of Bossa was desirous, that the words of the decree on the subject of the certainty of being in grace, should be transferred to the fourteenth Canon, and thus the heretical doctrine be anathematized. Some also of the bishops renewed their remonstrance against the omission of the representing clause. The rest of the Fathers, as has been said, approved of the decrees and canons without any limitation whatever.

But, as regards the chapters on Reformation, the difference of opinion was very great. This, in fact, had been anticipated, and had caused the Legates, in the general congregation held on the preceding day, to request of the Fathers, to give their votes and opinions, on the subject, in writing, in order to avoid the inconveniences that would attend open contestation, in public session. These papers were, however, so long and so various, that the Legates found it necessary to defer the consideration of them to another opportunity; with the promise to make known the decision of the majority, in a general congregation. This was agreed to: and it may be mentioned here, that, in the congregation held on the 25th of February, it appeared, after examination, that the decrees as proposed had been approved of by a majority; and they were accordingly declared to have the sanction of the Council.

The next Session having been appointed to be held on the third of March, the contumacy of the absent prelates was noted ; and it was resolved to proceed against them according to the canons ; with the exception of the German bishops, who were declared to be lawfully hindered from attending, by the state of their Churches.

There were present at the Council, four cardinals, ten archbishops, and forty-five bishops, Claude Le Jay, and Pelargus as proctors of the bishop of Strasburg, and of the archbishop of Treves, two abbots, and five generals of orders.

The decrees on Reformation met with some opposition at Rome ; but the Pontiff soon showed that he did not intend them to be an idle letter ; for, in a Bull dated February the eighteenth, 1547, he imposed the obligation of residence even on the cardinals ; and such of them as held more than one bishopric, whether in commendam, or on some other plea, were required to select, within six months, the one which they wished to retain, and to resign the rest.

SESSION VII.

Preparatory congregation.—Doctrine; Sacraments in general, and Baptism and Confirmation.—Reformation; Impediments to residence.—Errors against doctrine from the works of the Innovators.—Referred to the Theologians.—Their report.—The Canons nearly in the words of the heretical propositions.—Prepared by Seripando.—Alterations made therein in congregation.—Meaning of the Canon on the intention of the Minister.—Decrees on Reformation.—The Session.—Prelates present.

On the 15th of January, 1547, two days, that is, after the preceding Session, the first general congregation was held; in which it was decided that the sacraments should be next treated of, as being the divinely appointed means by which justification is acquired, preserved, and augmented, or, if lost, recovered; and that the subject of Reformation should be proceeded with, especially in relation to the impediments to episcopal residence.

On the 17th, it was arranged, that the particular congregations on faith were to be held in the presence of the Legate Cervini, and those on Reformation before Del Monte; the third Legate, Pole, having resigned during the previous Session, on the 27th of October, in consequence of continued ill health. On the same occasion, Cervini read the errors, which had been extracted from the writings of the innovators, on the subject of the sacraments; and Del Monte a list of such impediments to residence as had been sent in by the various bishops. It was also resolved that, as the Council of Lateran had sufficiently stated the Catholic doctrine on the sacraments, it would not be necessary to prepare any connected decree on the subject, as had been done in the previous Session;

but would be enough to condemn the errors of the innovators. As the subject was too extensive for one Session, the sacraments in general, together with Baptism and Confirmation in particular, were first to occupy the Council.

Almost daily congregations of the consulting theologians were accordingly held to examine the following propositions from the works of the heretics; fourteen of which regard the sacraments in general; seventeen relate to Baptism, and four to Confirmation.

1. The sacraments of the Church are less than seven.
2. The sacraments are not necessary; as grace may be obtained without them, by faith alone.
3. One sacrament is not more worthy, or excellent, than another.
4. The sacraments do not confer grace on those even who do not place any obstacle to their operation.
5. Neither grace, nor the remission of sins, was ever bestowed by the sacraments; faith alone in the sacrament operates these effects.
6. Immediately after Adam's fall God instituted the sacraments, whereby grace was bestowed.
7. Grace is given by the sacraments only to those who believe that their sins are forgiven.
8. Grace is not given in the sacraments, always, and to all men, by virtue of the sacrament; but only when, and where God wills.
9. There is not a sacrament that imprints a character.
10. An evil minister does not confer a sacrament.
11. All Christians, of both sexes, have power to administer the word, and the sacraments.
12. Each pastor may enlarge, abridge, and change, as he pleases, the forms of the sacraments.
13. The intention of the minister is not necessary, neither does it operate anything, in the sacraments.
14. The sacraments were only instituted to nourish faith.
15. There is no true Baptism in the Roman Catholic Church.

16. Baptism is free (liber), and not necessary to salvation.

17. When conferred by heretics, it is no true baptism.

18. Baptism is penitence.

19. Baptism is but an outward sign, like the red mark stamped on sheep, and is of no use in justification.

20. Baptism ought to be renewed.

21. True baptism is that faith whereby it is believed, that sins are forgiven to the penitent.

22. By baptism sin is not utterly destroyed, but only not imputed.

23. The baptism of John had the same efficacy as that of Christ.

24. The baptism of Christ did not make that of John of no effect, but only added a promise to it.

25. In baptism, immersion alone is necessary, all other ceremonies may be omitted without sin.

26. It is better not to baptize infants, than to baptize them when incapable of believing.

27. Infants ought not to be baptized, because they have no actual faith of their own.

28. Those baptized in their infancy ought to be rebaptized upon coming to years of discretion ; because they had not faith.

29. They ought to be asked, upon coming to the use of reason, whether they will ratify their previous baptism ; and, if they refuse, they are to be left to their free choice.

30. Sins committed after baptism are forgiven by the sole remembrance and faith of the baptism received.

31. The baptismal vow has no other condition but that of faith, and annuls all other vows.

32. Confirmation is not a sacrament.

33. It was instituted by the Fathers, and has no promise of grace.

34. It is now a useless ceremony ; and was formerly nothing but a statement of faith, made by children, in the face of the Church.

35. A bishop is not the sole minister thereof ; but every priest may confer it.

On the 7th of February, Cardinal Cervini presented, in a general congregation, the opinions of the theologians on the above propositions, and referred them to the consideration and decision of the assembled prelates. The result of their deliberations is found in the thirty canons which constitute the doctrinal portion of the seventh Session ; thirteen of those canons being on the sacraments in general ; fourteen on baptism ; and three on confirmation. It will be seen that they are given nearly in the words of the heretics, as they were drawn up for condemnation by Seripando ; after numerous emendations, however, in the particular and general congregations. It now remains briefly to notice such alterations in the original draught of the canons, or such remarks on their wording, as may tend to elucidate their meaning.

In the third canon, the words, *in no way*, or, in no respect (*nulla ratione*), were added in consequence of the remark of certain of the Fathers, that each sacrament is not, when considered under certain respects, inferior to any of the rest. It was, therefore, the opinion of Luther that was condemned ; he having maintained, that "one sacrament is not in any way more worthy than another ; for that they all consist of the word of God."

In the eleventh canon, also, is condemned Luther's opinion,—which flows directly from his principle of justification by faith alone,—that the sacrament is valid, though administered as a joke, and with the most evident intention to make a mockery of it. Pallavicini⁽¹⁾ tells us that this only is condemned by the Council ; which did not wish to touch upon the various opinions held in the schools on this subject, but simply to condemn the aforesaid error of Luther, who ascribed all to faith, and nothing to the outward ministry. Hence Catharinus still defended, after the Council, an opinion which had eminent supporters before

(1) T. I, L. ix. c. vi.

his time; that, for the validity of the sacrament, it is enough that the minister act outwardly in a serious manner, free from obvious jesting; whatsoever may be his inward intention, or want of intention.^(m)

To the first canon on Baptism, some objection was raised from the words of St. Luke iii. 3, but the opposition was overruled by the words of St. Luke iii. 16, and by the testimony of various Fathers of the Church.

In the third canon on confirmation, the word *ordinary* (*ordinarium*) was, after a protracted debate, inserted; in consequence of the power of administering confirmation having been, and being still, exercised by various priests; especially by one of the orders of St. Francis. Meanwhile, the impediments to residence, especially pluralities, and the unions of benefices, had continued to occupy the attention of the congregation appointed for this subject. The result of their recommendations, rendered far more stringent in the succeeding Sessions, is comprised in fifteen chapters, which are so plain and useful, as not to need either comment or recommendation.

Everything being now prepared, the seventh Session was held on the day appointed, the 3rd of March, 1547. The mass was celebrated by Andrea Cauco, archbishop of Corfu; but the usual sermon was omitted in consequence of the illness of Martirano, bishop of San Marco. The canons of faith were unanimously approved of by the Council; the decrees on Reformation had fifty-nine votes in their favour, as also the votes of the remaining thirteen Fathers, with some slight remonstrance or exception against particular clauses. Thus, the Bishops of Badajoz, Astorga, Osca, Calaoarra, and Clermont, wished that the Cardinals should be specified by name as incapable of holding more than one episcopal church; though that had already been provided for by a Papal Bull. Some of the preceding bishops, together with the Bishops of Porto, Bossa, Fiesole, Lanciano, Castellamare, and Mitilene, ob-

(m) See Prop. 28. damn. ab. Alex. viii.; and Bened. xiv. De Synod. L. vii. c. 4.

jected against the omission of the representing clause ; whilst the Bishops of Sinigaglia and of Fiesole remonstrated against causing the bishops to act as delegates of the Apostolic See.

There were present, three cardinals, nine archbishops, fifty-four bishops, the proctors of the archbishop-Elector of Treves, and of the Bishop of Augsburg, two abbots, and five generals of orders.

SESSION VIII.

TRANSLATION TO BOLOGNA.

The Eucharist to be treated of.—Day of Session anticipated.—Causes of.—Illness and Deaths at Trent.—Commission to transfer the Council.—Congregation to consider on the Translation.—Determination postponed.—Resolved on in the ensuing Congregation.—Opposed by the Imperialists.—Session.—Decree for the Translation to Bologna.—Prelates present.—Their Votes.—Departure of the Legates and most of the Bishops from Trent.—The Imperialists remain.—Opinions at Rome.—Translation approved of by the Pope.—Offers a safe-conduct.—Efforts to assemble the Bishops at Bologna.—The Imperialists refuse.

The next Session had been fixed for the 21st of April ; but, for reasons which must now be named, it was found necessary to hold the Council at an earlier period. On the 4th of March, the day after the last Session, copies of the heretical articles on the Eucharist were given to each of the Fathers ; but, on the 6th, Henrico Loffredi, bishop of Cappaccio, died of a malignant and contagious disorder, which had previously carried off the General of the Cordeliers, and had assailed some of the servants of other prelates. The Legates and bishops were alarmed ;

but still a general congregation was held on the 7th, in which, after some other general business, the sacrament of the Eucharist was proposed and agreed upon, as the next doctrinal subject to be examined and propounded. The Legates, however, had already written, on the 5th, to Rome, for the necessary commission to translate the Council, should the disease go on increasing. Meanwhile, prohibitions having been issued from the neighbouring cities forbidding all communication with Trent; several of the prelates having left the city without leave; whilst others were preparing to depart; the Legates resolved, without waiting for an answer from Rome, to avail themselves of the directions given them a short time previously by the Pontiff,—to follow, should any sudden emergency seem to require the translation of the Council, the opinion of the majority of the prelates.

They accordingly proceeded to take the testimony of two eminent physicians; who declared, that the disease was deadly and infectious, and would increase as the weather became warmer. In the general congregation, held on the 9th, after the opinions had been delivered on the first articles on the Eucharist, the Legates stated to the Fathers the judgment given by the physicians; the known fact of the deaths amongst them, and in the city; the flight of many of the bishops; and the readiness and anxiety of others to depart; and requested the assembled prelates to declare their wishes, by which they themselves would be guided; prepared in all things to act up to their advice, except it were for the dissolution of the Council. The Imperialists, supported by one or two others of the Fathers, declared themselves taken by surprise, and asked for time to consider; which, after numerous suggestions from the prelates present as to the best measures to be adopted, was granted, by the president, until the following day.

Accordingly, on the 10th of March, the bishops having assembled in general congregation, the first Legate gave it as his advice, that the Council should be translated, as

being the most judicious measure under their present circumstances ; and that the city of Bologna seemed to him to be the best adapted, on many grounds, as the place for continuing the Council. After much opposition from Cardinal Pacheco, and others of the Imperialists, this advice was agreed to ; and it was accordingly resolved to hold the public Session on the following day. Severoli, the Promoter of the Council, was in the interim employed in drawing up an authentic report of the infectious nature of the disease which necessitated the removal of the Council.

Having assembled in Session, on the eleventh of March, 1547, and performed the usual ceremonial, the first Legate briefly recapitulated his remarks of the preceding day ; dwelling especially on the disposition of the Legates to act entirely in conformity with the wishes of the majority. At the request of Cardinal Pacheco, the declarations of the physicians, and the examinations of witnesses, were read ; from which it appeared, that, for some time, the disease had been gradually spreading and becoming more fatal ; that the daily number of deaths was very considerable, but that, to prevent alarm, orders had been given not to toll the bells as usual for funerals, or for the departing ; that of those who had come to the Council, four were dead, and one was in extreme danger ; twelve prelates had already fled ; the ordinary physicians were leaving the city ; all communication was about to be cut off between them and the neighbourhood, which would soon add famine to pestilence : finally, the most eminent physician of his day, Fracastoro, had declared, that he would not remain another month in Trent, for a hundred crowns of gold a-day, and that those that remained would repent of their temerity. After this, the Cardinal Del Monte proposed the translation of the Council, in the form, agreed upon in the congregation of the preceding day, which is that given under Session VIII. ; in which, besides the translation of the Council to Bologna, the 21st of April is again agreed upon as the day for the ensuing Session.

Of the fifty-six prelates then remaining at Trent, thirty-eight approved of the translation unconditionally; fourteen opposed it; whilst the remaining four either were undecided, or approved of it under certain conditions. The Legates abstained from voting; but, when all was settled, they produced the Papal Breve, dated as early as the 22nd of February, 1545, which empowered them to transfer the Council, when, and whither they pleased; which at once removed the principal argument or objection of the adverse party.⁽ⁿ⁾

The Legates left Trent on the 12th, two years exactly from the time of their arrival at that city. They were followed to Bologna, at various intervals, by the prelates who had agreed unconditionally in the necessity of the translation; whilst those who had in like manner opposed it, continued at Trent;^(o) except the Bishop of Fiesole who, after some hesitation, joined the Legates at Bologna. The Bishops also of Agde and of Oporto, who had been neutral in the last Session, followed his example; the former, acting by the direction of the King of France; the latter through fear; two of his servants having been seized with the disorder, one of whom died within the space of three days.

At Rome, the news produced a variety of feelings; but, in a consistory held on the 23rd of March, 1547, the Pope approved of the step as prudent, lawful, and necessary.

By a Breve, dated the 29th of March, the Pontiff offered a safe-conduct to all who might choose to repair to the Council. The Legates also used their utmost endeavours to increase the number of prelates; and, for this purpose, invited those bishops who had fled from Trent; and forwarded a letter to each of the bishops, remaining at that

⁽ⁿ⁾ The Bull is given in the body of the work, at the close of the seventh Session.

^(o) The following were the prelates who continued at Trent: Cardinal Pacheco, bishop of Jaen; Tagliavia, archbishop of Palermo; Sassari, archbishop of Tarragona; and the Bishops of Sinigaglia, Fiesole, St. Mark, Bossa, Castellamare, Lanciano, Siracusa, Pace, Astorga, Osca, Cagliari, the Canaries, Oporto, Agde, and Aquino.

city, summoning them to Bologna for the approaching Session. But the Emperor had already forbidden them to stir from Trent. They, however, on receipt of the Legatine summons, met together to deliberate; but all that is known of their proceedings, is the determination come to, not to proceed to any conciliar act, for fear of involving themselves in the guilt of schism.

SESSION IX.

Congregations consider the sacraments of the Eucharist and Penance.—No decrees issued.—Session prorogued.—Prelates present.

At Bologna the usual congregations continued to be held, the sacraments of the Eucharist and of Penance being proceeded with. At the suggestion of the Pontiff, who yielded herein to the representations of the Emperor, it was resolved, not to proceed, in the absence of so many eminent prelates, to any promulgation of canons, or decrees; but merely to prorogue the Session. This was accordingly done on the 21st of April, 1547; on which the public Session was held in the church of St. Petronius. The mass was celebrated by Sebastian Leccàvela, archbishop of Naxia, and the sermon preached by Catharinus, bishop of Minori. The 2nd of June was appointed for the next Session, with power to anticipate, or to prorogue the day specified, even in a general congregation; not, however, without holding a Session on that day.

There were present, besides the two presidents, six archbishops, thirty bishops, and four generals of religious orders.

SESSION X.

Doctrine on the Sacraments. proceeded with.—Session. —Decree of prorogation.—Prelates present.—Arrival of the proctors of the Electors of Cologne and of Treves.—Of the French ambassador and bishops.—Prorogation of the Council.—Causes of.—Diet of Augsburg.—The Protestants agree to submit to a Council.—They visit the Legate.—Their proposals laid before the Council.—Their reply.—Approved of by the Pope.—Subsequent measures and difficulties.—The Pope places himself as judge between the bishops at Bologna and Trent.—His breves.—The interim.—Course pursued by the Pope.—Proposes to proceed with reformation of discipline at Rome.—Illness of Paul III.—The Council suspended.—Death of Paul.—Julius III.—Proposes to resume the Council at Trent.—Preparation.—The Diet again agrees to submit to a Council.—Bull for resuming the Council at Trent.—Presidents.—Arrival of at Trent.

The doctrine and canons relative to the holy Eucharist being now completely examined and prepared, the attention of the congregations was directed to the remaining sacraments; in order that whenever the business of the Council should be really proceeded with, rapid progress might be made; and such was the preparation made, that most of the decrees, subsequently passed at Trent, were discussed and arranged at Bologna; and even some of the most important questions afterwards decided, such as the invalidity of clandestine marriages, were there also discussed.

As the day appointed for the Session was now at hand, it became necessary to come to some determination as to the business to be transacted. A congregation was held

for this purpose on the 1st of June, in which the first Legate represented, that, as the canons on the holy Eucharist were now ready for promulgation, it behoved the Fathers to decide, whether this was to be done on the next day of Session, or to be deferred, in consequence of the decrees on Reformation not being sufficiently ready to be passed on the same day. He reminded them, that those decrees were of the greatest importance, as they regarded the impediments, to episcopal residence, caused by the secular power, and by the privileges of the religious orders; and as neither the ambassadors of those princes, nor some of the heads of orders, were present, it remained for them to determine, whether it would not be better to postpone the doctrinal decisions, until, according to the agreement entered into at the beginning of the Council, the decrees of Reformation could be proposed at the same time. Neither was it to be forgotten, he observed, that other difficulties existed at the present moment, which, it was to be hoped, might be soon removed; when, the Emperor being pacified, the prelates, then at Trent, would no doubt again unite with them in their deliberations, and add fresh lustre to their proceedings. These considerations prevailed with all the Fathers, except the Bishop of Acci, who, both then, and on the day of Session, urged that the doctrine at least of the Eucharist should be promulgated.

Accordingly, on the 2nd of June, 1547, after Olaus Magnus, archbishop of Upsal, had celebrated mass, it was decreed that the Session should be prorogued to the 15th of September; with power, however, to extend or abbreviate that period, even out of public Session; and it was also resolved, that the remaining subjects of doctrine and of Reformation should be proceeded with. In this Session, the votes of two prelates, absent through illness, were received in writing.

There were present, the two presidents, six archbishops, thirty-six bishops, one abbot, and two generals of orders.

Shortly after the preceding Session, the hopes of the

Council, that the actual business would soon be proceeded with, were raised by the appearance of proxies from two powerful bishops of Germany, the Electors of Cologne and Treves; and by the news brought by Dandino, the secretary to the Papal Nuncio at the French court, that thirteen bishops might shortly be expected from France. Durfé, in fact, arrived at Bologna, on the 9th of September, as ambassador from the King of France, and with him the Archbishop of Aix, and the Bishop of Mirepoiz. In spite of these hopes and arrivals, however, it had been already resolved, by the advice of the Pontiff, that the Council should be practically suspended; and that in a general congregation, without holding the appointed Session. This was done on the 14th of September; with the approval of all the bishops present, except of those who had just arrived from France. No specific day was appointed for the next Session, as it was impossible to foresee, under existing circumstances, when an actual Session for the despatch of business could be held; and it was judged indecorous to continue to hold Sessions without effecting anything.

The anxiety of the Emperor Charles to have the Council restored to Trent was the real cause of the previous delays, and of the present suspension of the Council. He continued to labour for the same result in the Diet opened at Augsburg, on the 1st of September, 1547; in which, having quelled their previous violence by his late success in arms, he induced the Protestant princes and the free cities, to declare that they "would refer and submit themselves to the decisions that might be come to in a Christian Council to be held at Trent, a city not inconvenient for the Germans, and which could not be justly objected to by other nations; it being understood, that the Council should be guided by the doctrine of the Scriptures and of the Fathers; and that a safe-conduct should be given by the Emperor, to their deputies of the confession of Augsburg, to proceed to, and return in safety from, the Council, there to deliver their opinions freely and without

let or blame." To confirm this agreement, the Electors, as well Protestant as Catholic, came uninvited to the Legate Sfondrati, and remained with him in amicable conversation for some time, showing him the greatest respect and veneration.

These events took the Pontiff by surprise. He complained that, in the agreement, no mention was made of the authority of the Apostolic See; but, to this it was replied, that, though it had been purposely omitted, in order not to create unnecessary difficulties, it was understood in the clause, that the Council should proceed "in accordance with the doctrine of the Fathers." Before coming to any decision, the Pontiff resolved to summon Cervini to Rome; he having been the chief guide of the Council. That Legate accordingly left Bologna on the 9th of November, to the great grief of the Fathers who had, on so many occasions, had reason to admire his prudence, resolution, and skill. Many deliberations were held on the step to be taken; the real cause of the doubt and anxiety being, that, should the Pontiff, now worn out with age and toil, die whilst the Council was being held at Trent, the Fathers might proceed to elect, of themselves, a successor to the Papal throne, and thus the risk of a grievous schism be incurred.

By the advice of his cardinals and of the Legate Cervini, Paul resolved to place the proposals of the Emperor for the return of the Council to Trent; and the promises of the Germans to submit to that Council; before the Fathers at Bologna, to be by them accepted or repudiated. This he did in a Breve dated December 16th; and, on the day of its arrival at Bologna, the Legate Del Monte summoned a general congregation. Having read the Breve, and other documents connected with it, he reviewed the present position of the Council, and noticed the dangers to be avoided, dwelling particularly on the necessity of first causing the contumacious prelates at Trent to yield obedience to the summons sent them from Bologna. After much debate, the congrega-

tion separated, to meet again on the following day, when it was agreed, that the document prepared by the Legate, and the Secretary Massarelli, should be forwarded to Rome, as the reply of the assembled Fathers ; with such verbal alterations, however, as the debates had shown to be desirable.

Besides requiring the presence at Bologna of the prelates then at Trent, that document noticed, that, whilst the Protestants promised to submit to the Council to be held, they neglected to declare their submission to the decrees of the Council which had been held ; an omission which rendered it necessary to have a clear understanding, that the decrees already passed were not to be, and could not be, brought into discussion ; that, whereas they offered to yield to a *Christian* Council to be held at Trent, they neglected to define what they meant thereby ; whilst reports were circulated that their intention was, to endeavour to have a Council composed of laymen, contrary to the usage of the Church ; and that the liberty of the Council was not guaranteed, or its power to continue or dissolve itself secured ; whilst it was declared in the instructions sent by Cardinal Madrucci, that it was intended that the Council should remain open for a long period to come.

The Pontiff communicated this reply to special congregations, held on the feast of St. Stephen, and again on the following day ; and also stated its contents to the Ambassador Mendoza ; declaring, that the demands of the Fathers seemed, to him and to his Council, prudent and reasonable.

It would occupy too much space to narrate in detail the subsequent events ; suffice it to say, that the Emperor protested against the demands of the Council, and against the previous translation ; that Cervini, having returned to Bologna, advised the Pontiff to suspend the Council ; that Mendoza openly repeated at Rome, in the consistory held on the 23rd of January, 1548, the protest of the Emperor, introducing expressions which grievously offended the Pope ; who, in a reply written by Pole, took advantage of

the protest to place himself as a judge between the Council and the Emperor; and proclaimed his readiness to appoint as his deputies, to decide on the lawfulness of the translation, four cardinals selected from different nations, Bellai, bishop of Paris, di Burgos, Crescenzio, and Pole. Upon this, Mendoza left Rome on the 15th of February.

In pursuance of the turn given to the Emperor's protest, a Breve was addressed to the Legates at Bologna, forbidding them to proceed to any synodal act, and desiring them to send an authentic record of the translation of the Council, and three bishops at the least to represent that assembly. At the same time he despatched a Breve to the bishops remaining at Trent, in which, whilst lamenting that they had, in spite of the decision of the majority of the Council, in favour of a translation, remained at Trent, he condemned them for neglecting to place before the Apostolic See the reasons of their conduct, and their objections to the legitimacy of that translation. But, notwithstanding this scandal, and though he had hitherto reputed that translation lawful, he had now transferred unto himself all judgment and decision regarding it; and he therefore desired them to send three of their body, to state before him the reasons of their opposition.

Charles was far from being displeased at the turn which had been given to the business by the sagacity and moderation of Paul; and though some few of the Fathers at Bologna objected to refer to the Pontiff, a matter already decided by the Council, the majority yielded their assent, and despatched several of their body to Rome. The bishops at Trent, whilst they neglected to send deputies to Rome, forwarded a written answer, full of submission in words, but evidently demonstrative of their intention to remain at Trent, until fresh orders from the Emperor.

Shortly after this period, Charles promulgated, in the Diet of Augsburg, on the 15th of May, 1548, the celebrated formulary, called the *interim*; which, like all similar previous compromises, after much anxious and useless debate and trouble to render it acceptable, ended, in spite

of the acceptance of the Diet, in contenting neither the Catholics nor Protestants, and soon became practically a mere dead letter.

The Pope, though advised by the French ambassador to avail himself of this act of the Emperor, to take at once a decisive step, contented himself with commanding that the objections to the translation of the Council should be drawn up minutely under distinct heads, and with directing that replies to these objections should be given in writing by the prelates from Bologna. This was accordingly done; and the result was such as could alone be expected from the acts of a Council, two-thirds of whose members had deliberately declared it dangerous, upon the plainest evidence, to remain at Trent.

As, however, it was not deemed expedient for the well-known opinion of the Pontiff to be openly proclaimed, for fear of increasing the hostility and opposition of the Emperor, the Pope decided to try,—by summoning to Rome four prelates from each of the parties, at Trent and at Bologna, to determine on such matters of reformation as seemed desirable,—whether, in case of severer measures, he was to expect submission, or schism.

The prelates summoned from Trent were Cardinal Pacheco; Pietro Tagliavia, archbishop of Palermo; Francesco Navarra, bishop of Badajoz; and Giambernardo Diaz, bishop of Calaoorra: those selected from amongst the bishops at Bologna were, Olaus Magnus, archbishop of Upsal; Sebastian Leccavela, archbishop of Noyon; and Richard Pate, bishop of Worcester. The former, after waiting for twenty-one days in order to receive directions from the Emperor, civilly declined, and returned a similar answer to a second summons from the Pontiff; whilst the latter obeyed at once without delay.

The failing health and energy of the Pontiff induced his counsellors to dissuade him from immediately declaring the legitimacy of the translation, and thus forcing matters to a crisis. It was resolved, therefore, to suspend the Council; as the increasing illness of the Sovereign

Pontiff rendered it unadvisable, that, in the event of the demise of Paul, two adverse parties should be in existence, each, or one of which, might assume to itself the right of electing his successor. In a letter, therefore, from Cardinal Farnese, to the Legate Del Monte, dated September 13th, 1549, he was directed to suspend the Council, and to dismiss the Fathers. This was accordingly done on the 17th of the same month ; an event which was soon afterwards followed by the death of Paul III., on the tenth of the following November.

On the 17th of February, 1550, Cardinal Del Monte was elected his successor, and assumed the name of Julius III. A few days after his election, he despatched two Cardinals to the Emperor to signify to him his desire to gratify him in his wish to have the Council re-assembled at Trent. By way of preparation, he directed the late secretary of the Council, Massarelli, to draw up a list of such articles of Reformation, as had been proposed, but not disposed of, in the Council ; summoning also to Rome, for the same purpose, the Cardinals Pole, Cervini, and Morone. Frequent congregations were held to expedite this matter, and to prepare the Bull for the resumption of the Council.

In the Germanic Diet,^(P) it was agreed to submit to the Council that was to be re-established at Trent ; an agreement which was come to, in spite of the opposition of Duke Maurice, the new Elector of Saxony, who demanded a Council, independent of the Pope, at which members of the Confession of Augsburg should have a right to vote ; a request which was refused, as being contrary to the agreement entered into at the last Diet. This was almost immediately followed by the publication of the Bull, dated November the fourteenth, 1550, for resuming the Council at Trent, on the 1st of May of the ensuing year.

In a consistory, held on the 4th of March, 1551, Julius appointed, as his sole Legate, Cardinal Marcello Crescenzo, with two assistant prelates, Girolamo Pighini, arch-

(P) At Augsburg.

bishop of Manfredonia, and Luigi Lippomani, bishop of Modena. Massarelli, who was again appointed secretary, was ordered to repair at once to Trent; as the Council was to be opened by the assistant prelates on the day named, even though the Legate Crescenzio should be absent. Meanwhile, in the Consistory of the 24th of April, the Pontiff directed that public prayers should be offered up for the blessing of Heaven on the Council, and commanded the bishops, then at Rome to the number of eighty-four, to repair to Trent.

On the 29th of April, the Legate was met, in the environs of Trent, by Cardinal Medrucci, and thirteen bishops who had previously arrived at that city. Having put on their pontifical robes in a church near the city, the prelates were met by Vargas, the Fiscal of the Emperor, who then exhibited his credentials, and declared the desire of the Emperor, in every way to favour the views of the Council. They then entered the city two by two, the Legate and Cardinal Madrucci advancing first together; next the Presidents, followed by the rest of the prelates; and, having repaired to the cathedral church, and published the usual indulgence, they withdrew to their own dwellings. On the same day, Francesco di Toledo arrived as ambassador from Charles. It was, after some debate, decided, that, in every Synodal act, the assistant prelates, as Presidents, should take precedence of Madrucci.

SESSION XI.

Congregation.—Prorogation resolved on.—The Session.—Business transacted.—Prelates present.

The first congregation was held on the last day of April; and it was then proposed, that the Council should be opened on the following day, but that no actual business should be transacted, except to prorogue the Council till the 1st of September. Accordingly, on the 1st of May, 1551, the eleventh Session was held, at which the mass was celebrated by the Legate Crescenzo, and the sermon was preached by Fra Sigismondo Fedrio. The Secretary then read the Bull for the resumption of the Council, as also that appointing the Presidents; after which the Archbishop of Sassari proposed the decrees for the re-opening, and the prorogation, of the Council, which were unanimously agreed to.

There were present, besides the three presidents, three archbishops, and ten bishops.

SESSION XII.

No Congregations held.—Arrival of the Archbishops and Electors of Maintz and Treves.—Ambassadors.—The Session.—Prelates present.

Each day now saw the arrival of prelates from various parts; but, for the present, no congregations were held, both on account of the forwardness of the preparations made at Trent and Bologna, and also to show that the Germans were looked for. The Electors of Maintz and Treves arrived towards the end of August, and preparations

were made for the Elector of Cologne, who had announced his intention to be present. There also arrived two other ambassadors from the Emperor; Ugo Count de Montfort, as ambassador from the Empire, and, shortly after the twelfth Session, William of Poitiers, to represent the province of Flanders, whilst Toledo acted as his envoy from Spain.

On the last day of August was held a general congregation, in which it was resolved to hold the appointed Session on the following day; but to prorogue the Council until the 11th of October, then to meet definitively for the actual despatch of business. The reasons for this delay are found in the decree. Frà Baldassar Eredia, archbishop of Cagliari, celebrated the mass; but, in lieu of a sermon, an exhortation on the manner of comporting themselves during the Council, was read to the Fathers, by the Secretary Massarelli, in the name of the presidents. The decree of prorogation, in which it was settled that the sacrament of the Eucharist, and the remaining impediments to episcopal residence should be treated of in the next Session, was read by the celebrant, and unanimously approved of.

There were present, in addition to the three presidents, Cardinal Madrucci, seven archbishops, and twenty-seven bishops.

An unexpected, but bitter, dispute, had meanwhile arisen between the Pope and the King of France, on the subject of the dutchy of Parma. James Amyot, abbot of Bellozane appeared at Trent, two days before the holding of the Session, as ambassador and bearer of a letter, from the French monarch. He presented the letter to the presidents, after the actual business of the Session had terminated. It was addressed to the Tridentine convention (conventum); a phrase which gave offence to the Spanish bishops, but which Amyot explained as being the sole act of the royal Secretary, who, it would be found from the contents of the letter, used indiscriminately the

words Convention and Council. After a private deliberation, it was agreed to receive the explanation given, and to suppose that, by the use of the obnoxious word, there was no intention to lower the dignity, or to deny the œcumenicity, of the Council. The letter was then read. It declared, that the King of France could not neglect to represent to the Council, the reasons which compelled him to prevent his prelates from assisting at the Council summoned by Julius; being, however, certain that the assembled Fathers would act as disinterested judges, in regard of one who was called, and endeavoured to merit the name of, the eldest son of the Church. After similar language, it concluded with declaring, that he would not only yield assent and support to what had been hitherto decreed, but also to whatsoever should be ordained, in a lawful manner, in the future Sessions. The ambassador then entered into a similar argument, and lodged a similar protest—as to the inability of the prelates to attend at the Council, on account of the war that was waging on the subject of Parma—to that which had been already used, at Rome, in the consistory.

The Council took time to reply, and directed the ambassador to present himself, at the next public Session, for an answer to the letter read. He did not, however, appear on the day appointed; but, by the direction of the king, published, at Fontainbleau, on the 3rd of September, a protest of much the same character as the above-named; which, as the French prelates had no need of passing through the Papal territories in order to repair to Trent, but only through the territories of Charles, with whom Henry was at peace, was seen to be a mere pretext, to cover his wish to wound Julius.

SESSION XIII.

Articles on the Eucharist extracted from heretical writers.—Opinions of the Theologians.—Of the Bishops.—Draught of the Canons and Decrees prepared.—Alterations suggested and made.—Resolved to state the Catholic Doctrine and to condemn the errors of the Innovators.—Four articles postponed.—Safe-conduct promised.—Decrees on Reformation.—The Session.—Prelates present.—Arrival of the Elector of Cologne.—The Elector of Brandenburg sends his agent.—Reply to the Protest of the French King.

On the 2nd of September, 1551, the day after the last Session, a general congregation was held, in which ten articles, extracted from the conflicting writings of the Protestants, on the holy Eucharist, were distributed amongst the Fathers. These articles were the following :

1. That in the Eucharist, the body and blood, and the divinity of Christ are not truly present, but only as in a sign, as wine is said to be in the sign of an inn.⁽⁹⁾

2. That Christ is therein exhibited, not sacramentally, but only spiritually, to be eaten by faith.

3. That, in the Eucharist, together with the body and blood of Christ, there is the substance of the bread and wine ; so that there is no transubstantiation, but only a hypostatical union of the humanity of Christ with the substance of the bread and wine.

4. The Eucharist is solely instituted for the remission of sins.

5. That Christ in the Eucharist is not to be adored, nor to be worshipped with festivals, nor carried in processions, nor to the sick ; and the worshippers thereof are idolaters.

(9) In circula ante tabernam.

6. The Eucharist is not to be reserved in the *sacrarium*, but is to be consumed at once, and given to those present; to act otherwise is an abuse of this sacrament; neither is it lawful for any one to communicate himself.

7. That, in the consecrated hosts and particles which remain after communion, there does not remain the body of the Lord, which is there whilst being received, but neither before nor after.

8. That it is of divine right that communion be received under both kinds, even by the laity and children, and that they, therefore, are guilty of sin who cause the people to receive under one kind.

9. As much is not contained, nor is as much received, under one kind, as under both kinds.

10. That faith alone is a sufficient preparation for communion; that confession is not necessary thereunto, but is left to each one's choice, especially in the case of the learned; and that a person is not bound to communicate at Easter.

At the foot of each of these articles was cited the work whence it was extracted; and the Theologians were directed, amongst other regulations conducive to order and evidence, that their sentiments should be derived from and confirmed by the sacred Scripture, apostolical tradition, approved Councils, the writings of the Sovereign Pontiffs, and of the holy Fathers, and the consent of the Catholic Church.

The matters, however, proposed, required but little labour or consideration, as they had been well nigh prepared and perfected during the recess at Bologna; and had been already, as far as the Eucharist is concerned, in a great measure decided in the Councils of Lateran, Florence, and Constance. And it may be as well again to remark, that though, on the substance of the dogma of the Eucharist, all the schools were agreed, yet had they their different methods, or systems, of explaining the *modus*, or manner, of the real presence, and other questions of the like kind; and that it was the careful study

of the Council to avoid every expression, which could in any way be thought to affect any of those opinions, or systems.

The first, third, fifth, seventh, and eighth articles were unanimously condemned, in the congregations, as heretical. The second article it was deemed superfluous to notice, as being already condemned under the first proposition.

The fourth article was, by some, considered heretical, on account of the word alone, or solely; and they contended, that the omission of that word would render the sentiment Catholic; but others wished this proposition to be condemned; retaining, in the condemnation, the word alone, or, principally.

That part of the sixth article which declares it unlawful for any one to communicate himself, it seemed, to some of the Theologians, necessary to condemn; with the addition, however, of the words, in no case, not even one of necessity, or for a priest who is celebrating mass.

The first part of the ninth article, which asserts that as much is not *contained* under one species as under both, was condemned, as being directed against the entireness of the sacrament under one kind; but some contended that the second clause, which denies that as much is *received* under one kind as under both, was not heretical; in as much they held, that as much *grace* is not received under one as under both species; though this opinion was opposed by the majority.

The first and third parts of the tenth article were unanimously condemned; though Giovanni d'Ortega thought that, as regards the obligation to communicate at Easter, there was need of some explanatory clause, as that precept is ecclesiastical and not divine; whilst the Elector of Treves was of opinion, that the denial of that obligation was indeed schismatical, but not heretical; but, at length, all agreed, that as the proposition went to deny the authority of the Church to impose that obligation, it was really heretical. With regard to the second clause, which denies

the necessity,—where there is a consciousness of mortal sin,—of confession previous to communion, some were of opinion, that contrition, with the purpose of confession in due time, suffices; others contended that the proposition was indeed scandalous and erroneous, but not heretical; whilst others condemned it as absolutely heretical; except in the case where communion has to be received, and a confessor cannot be had.

A digest of the opinions of the Theologians was placed before the Fathers, on the 17th of September, and, on the 21st, the bishops began to deliver their sentiments on the subjects proposed. Their remarks were of the same nature as those recorded above as having been made by the Consultors. Nine of the most learned and eminent prelates were deputed to draw up the judgments given, in the form of canons and decrees. The result of their labours was placed before a general congregation, on the 1st of October, and on the 6th, another congregation met to take the proposed draught into consideration.

The tenth canon, which is in opposition to the tenth article given above, alone created any considerable discussion. It was originally drawn up in the following words: "If any one shall say, that faith alone is a sufficient preparation for receiving the most excellent sacrament of the holy Eucharist, let him be anathema. And, that this sacrament may not be taken unworthily, and therefore unto death and condemnation, the Council ordains and declares, that, for those whose conscience is burthened with mortal sin, it is necessary to premise sacramental confession. And if any one shall presume to teach, preach, obstinately to affirm, or publicly to dispute to the contrary, let him be *ipso facto* excommunicated." The word *publicly*, in the above form, was objected to; but was defended by the Bishop of Bitonto, as having been deliberately placed there; in order to avoid condemning any merely private discussion of the question. Some Fathers recommended the insertion of the words, "when a priest can be had," others, "when a confessor can be

had," and similar clauses,^(r) which resulted in the framing of the canon, by the deputies previously chosen, in the form in which we now read it.

There was also another alteration, made in the original draught, which deserves notice. In the third canon, the words "after a separation has been made," (*separazione facta*,) were added at the suggestion of Emiliano, bishop of Tuy, who directed the attention of the Fathers to the opinion of Theologians, that, before any division of the consecrated species, the body of our Lord is not under each particle of the host, but only under the entire host. This recommendation was followed, notwithstanding the desire of the bishops of Castelamare and of Constance, that the word *even* should be placed before the clause "when a separation has been made;" lest, as they contended, the opinion, held by other Catholic Theologians, that the whole Christ is under each particle of the entire host, should seem to be condemned. But, no such intention existed; neither did it seem, to the Fathers, necessary, again to alter the decree in order to avoid the supposed danger.

It was also resolved, that, as on the subject of justification, so also here, the doctrine of the Church should be declared, at the same time that the errors of the innovators were condemned. The former was accordingly done in eight chapters; the latter in eleven canons.

In addition to the doctrines enunciated in the chapters named, there were four other points which, for a considerable time occupied the attention of the Fathers, and which were, later, again and again debated in the congregations. Those points regarded various questions on communion in one kind, and the communion of infants;

(r) Such as, "when there is no urgent necessity," recommended by the Archbishop of Cagliari; "when the fear of scandal does not hinder," proposed by the Bishop of Castelamare. The word *confessor* was used instead of *priest*, at the recommendation of the Bishop of Chioggia, who observed that every priest has not faculties to act as confessor; a suggestion which was acted upon in spite of the remark made by Musso, that the Council of Constance used the word *priest*.

but, at the suggestion of the Count di Montfort, they were, for the present, postponed, for the reasons assigned in the decree, which may be seen, near the end of the Session, after the chapters on Reformation. It was at the same time, and for similar reasons, resolved also to postpone the consideration of the sacrifice of the mass, and to proceed, in the next Session, to the sacraments of Penance and Extreme Unction. It may also be remarked, that the safe-conduct, given at the close of the Session, was granted at the solicitation of the same imperial ambassador.

The decrees on Reformation relate to the duties of bishops towards those under their charge, and limit and regulate appeals from their sentences; they also treat of the summary degradation of criminal clerics; the cognizance by bishops of absolutions from crime, or remissions of punishment, limitations on the personal citation of bishops to Rome; the qualifications of witnesses against them; and the reservation, to the Sovereign Pontiff, of the graver accusations against them. All which may be seen in detail, in the eight chapters on Reformation, given in the thirteenth Session.

On the 11th of October the public Session was held; at which the mass was celebrated by Giambattista Campeggio, bishop of Majorca, and a sermon on the holy Eucharist was preached by the Archbishop of Sassari. The decrees on faith and discipline were read by the celebrant, and unanimously approved of, as were also the chapters on Reformation. There were present at the Council, besides the presidents, one cardinal, three archbishop-electors; six archbishops, forty-four bishops, three abbots, and the general of the Augustinians.

The Elector of Cologne had arrived the day before the Session; and there also came an ambassador from another Elector, who was of the Confession of Augsburg, the Marquis of Brandenburg, who promised, by his agent, to submit to the decisions that might be come to by the Council, the œcumenicity of which he seemed to recognize.

The last act of the Session was to read the reply prepared

to the protest of the French King. The Fathers expressed their regret at the misunderstanding which had arisen between Henry and the Pontiff on the subject of Parma; but observed, that it was not their business to interfere in such questions; that the passage to the Council was as free, and the right of speaking as uncontrolled, for his bishops, as it had been for his ambassador. They concluded by exhorting him to act as became a Catholic king; reminded the French bishops to obey the summons of the Pontiff, and to repair at once to the Council.

SESSION XIV.

Heretical articles on Penance and Extreme Unction.—Referred to the Theologians.—Their opinions.—Alterations made in the draft of the Decrees.—Decrees on Reformation.—Session.—Prelates present.

On the day after the preceding Session, a general congregation was held, in which the heretical articles, on the sacraments of Penance and of Extreme Unction, were delivered to the Fathers. Those articles were the following.

1. That Penance is not properly a sacrament, instituted by Christ for the reconciliation of those who have fallen after baptism; neither is it rightly termed, by the Fathers, a second plank after shipwreck; but that baptism is in truth one and the same sacrament as Penance.

2. The parts of Penance are not three,—to wit, contrition, confession, and satisfaction,—but two only; the terrors, that is, impressed upon the conscience when convinced of sin; and faith conceived by the Gospel, or by absolution; by which faith one believes that his sins are, through Christ, forgiven him.

3. The contrition which is excited by the examination, the collecting together, and the detestation of sins, neither prepares us for the grace of God, nor remits sin ; but rather makes a man a hypocrite and a greater sinner ; and such contrition is a sorrow extorted, and not free.

4. Secret sacramental confession is not of divine right ; there is no mention of it by the Fathers previous to the Council of Lateran, but only of public penance.

5. The enumeration of sins in confession is not necessary for their forgiveness, but is a matter of choice ; in this age it is simply useful for instructing and consoling the penitent ; and anciently it was but imposed as a canonical penance ; neither is it necessary to confess all mortal sins, such as secret sins, and those against the two last commandments ; nor need the circumstances which change the nature of sin be specified, as these are but the inventions of idle men ; and that to wish that all such sins be confessed, is not to leave anything to be pardoned by the mercy of God. As to venial sins, it is not even lawful to confess them.

6. The injunction of the Church, which requires the confession of all sins, is an impossibility, and a human tradition which ought to be done away with by the godly. Neither ought confession to be made during Lent.

7. Absolution by a priest is not a judicial act, but the mere ministerial act of pronouncing and declaring, to him who confesses, that his sins are forgiven, provided he believes himself absolved ; and this even though he be not contrite, or the priest absolve him, not in a serious manner, but in joke. The priest may even absolve the penitent without first hearing his confession.

8. Priests, who have not the grace and charity of the Holy Ghost, have not power to bind and to loose ; and not they alone are the ministers of absolution, but to all and every Christian it is said, *Whatsoever you shall bind on earth, shall be bound also in heaven ; and whatsoever you shall loose on earth, it shall be loosed also in heaven ;* in virtue of which words all Christians can absolve from

sins ; from public sins by correction, if he who is corrected shall assent thereunto ; and from secret sins by confession.

9. Even though the minister of absolution absolve in opposition to the prohibition of his superior, he really absolves from sin, in the sight of God : so that the reservation of cases does not hinder absolution ; and bishops have no right to reserve such cases to themselves, except in so far as external government is concerned.

10. Together with the whole *guilt*, the whole *pain* is always remitted by the Almighty ; and the satisfaction performed by penitents is nothing but that faith whereby they account that Christ has made satisfaction for them ; and, therefore, the canonical satisfactions were begun at the Council of Nice, and instituted by the Fathers, for the sake of example, or of discipline, or to try the faithful, but not for the remission of the punishment due to sin.

11. The best penance is a new life ; and, by the pains sent us of God, we do not make satisfaction unto Him ; neither do we, by means of those which may be undertaken voluntarily, such as fastings, prayers, alms, and other good works not commanded by Almighty God, which are called works of supererogation.

12. Satisfactions are not a true worship of God, but traditions of men ; they obscure the doctrine of grace, of the true worship of God, and the benefit of the death of Christ ; and it is a mere figment, that, by the power of the keys, eternal punishments are changed into temporary ; the office of the keys being to loose from punishments, not to impose them.

The four following articles regard the sacrament of Extreme Unction.

1. Extreme Unction is not a sacrament of the New Law instituted by Christ, but is only a rite derived from the Fathers, or a mere human figment.

2. It neither bestows grace, nor the remission of sins, nor relieves the sick, who, of old, were cured by the gift of healing ; and it, therefore, ceased with the primitive church, as did the gift of healing.

3. The right and usage of Extreme Unction are not observed in the Roman Church, according to the mind of the apostle St. James; and may, therefore, be changed, and be despised without sin by Christians.

4. A priest is not the only minister of Extreme Unction; and the presbyters whom St. James exhorts us to *bring in* to the sick, are not priests ordained by a bishop, but the Elders of each community.

The Theologians were again directed to confirm their opinions, by citations from the same authorities as had been used in the preceding Session.

The doctrinal portion of the Session, on the sacrament of Penance, is comprised in nine chapters, to which correspond fifteen canons.

The debates in the congregations do not present any thing that tends to illustrate the two first chapters. In the third chapter, where the parts of Penance are declared, there was considerable study and care to avoid condemning the opinion of Scotus and his followers,—that in the absolution alone consists the essence of the sacrament, whilst contrition and confession are, in that system, necessary to the effect of the sacrament, not as being essential parts thereof, but as being conditional, and without which the sacrament would be null and void. The decree was accordingly framed in the same manner as, for the same cause, it had been worded by the Council of Florence.

As regards the fourth chapter, and that part of it which treats of imperfect contrition, or, as it is called, attrition, it may be noticed, that the decree was originally drawn up in the following words: “As to that contrition which Theologians call attrition, because it is imperfect, and solely conceived through the turpitude of sin, or through fear of hell or of punishment—which fear is called servile—the Council ordains and declares, that, when that attrition excludes the disposition to sin, and expresses some kind of sorrow for the sins committed, it not only does not make a man a hypocrite, and a greater sinner,—as some do not hesitate to blaspheme,—but is sufficient for con-

stituting this sacrament, and is a gift of God, and a most true impulse of the Holy Ghost, not indeed as already dwelling in, but as moving (the penitent): with which the penitent being assisted (which can scarcely be without some motion of love towards God) he advances towards justice; and thereby disposes himself to obtain more easily the grace of God." The Bishop of Tuy remarked that it was not the fact that there could hardly be fear of God without love; and that, as to attrition being sufficient with the sacrament, there were various well-known opinions of the schools on that point, which it could not be intended to touch. The decree was accordingly altered to its present form.

The doctrine of the church on Extreme Unction is contained in three chapters; and the errors of the innovators are condemned in four canons. There was one alteration, made in the first chapter, which deserves notice. Instead of the word *instituted*, there was substituted the word *insinuated* (*insinuatium*), for a very obvious reason.

The decrees on Reformation, which occupy thirteen chapters, are chiefly employed in removing such obstacles as hindered bishops from effectually punishing the vices or irregularities of ecclesiastics. Some of the decrees, previously passed on this subject, are explained and secured against a vicious interpretation; and others are added relative to the jurisdiction of judges conservatory; the dress of beneficed clergymen; the ordination of those guilty of homicide; the union of benefices; the possession of benefices by Regulars; and the rights of patronage and of presentation.

The fourteenth Session was held on the appointed day, the 25th of November, 1551. Manrique, bishop of Orense, celebrated the mass, and the Bishop of San Marco preached the sermon. We do not read of any opposition offered, in public Session, to any of the decrees, whether on faith or reformation. The 25th of January, 1552, was appointed for the next Session; the subjects named to be

there promulgated, were the sacrifice of the mass, and the sacrament of order ; and the reformation of discipline was to be continued. The prelates present were the same as those that assisted at the preceding Session.

SESSION XV.

The four reserved Articles.—Arrival of Protestant Ambassadors and Envoys.—Their dispositions.—Instructions from Rome in their regard.—Received publicly.—Their demands.—Replied to.—Safe-conduct promised.—Constance and Sienna derogated from.—Reason thereof.—The Session.

Immediately after the Session, the congregations of Theologians and Prelates were engaged in preparing the decree on the four articles already named as reserved for a future opportunity, and at the same time also on the other subjects agreed upon for the ensuing Session. But there was evidently little expectation of promulgating those decrees, on the day appointed, in consequence of the arrival of several ambassadors from the Protestant princes of Germany, and the expectations entertained that others also would soon repair to the Council.

Before the last Session, the ambassadors of the Duke of Wittemberg had arrived at Trent ; as also envoys from several of the free cities ; who were shortly afterwards followed by the representatives of Maurice, elector of Saxony.

It was evident, from the first, that little was to be expected, in the way of reconciliation, from their presence ; as they even declined to visit the Presidents of the Council, lest such a mere act of civility on their parts might be construed into a recognition of the authority of the Pope.

The Legates had, however, instructions from Rome, not to manifest any displeasure whatever, at any such acts of discourtesy; but to bear with them in everything that did not trench on their duty to religion and to the Church: as it was desirable, that even the most ignorant and prejudiced should see, that whatever obstacles to peace and reconciliation might arise, they were not at all events the work of the Pontiff; or even to be ascribed to the violence and imprudence of his ministers.

It was, therefore, agreed to give the ambassadors a public audience, in a general congregation to be held on the 24th of January. The envoys from Wittemberg, as having arrived first, were received in the morning of that day; those of the Elector of Saxony, in the evening. Their demands were nearly of the same character.

Having placed their confession of faith in the hands of the Secretary, Massarelli, they required a safe-conduct similar to that granted by the Council of Basil; wherein, as they pretended, a deliberative voice was conceded to the dissidents of that day; and the Scripture, together with such authorities as were regulated solely by the Scripture, were admitted as the sole guides; assertions which the words of that Council disprove clearly as regards the first statement; and, as to the second, the meaning of the Council is misrepresented. They further demanded, that any decision on the matters before the Council should be postponed until the arrival of the Protestant divines, who would soon be deputed to Trent; that the doctrines already defined, especially on the subject of justification, should be again debated; that the decrees of the Councils of Basil and of Constance, limiting the authority of the Pope, should be approved of and put in execution; that the bishops should be absolved from their oaths to the Sovereign Pontiff; and finally, that the Council should act independently of the papal authority.

To these demands, some heretical, others schismatical, it was replied that an answer should be given in due time. When the Protestant ambassadors had withdrawn, it was

agreed, that, as regards the safe-conduct, every possible security should be given; and, it will be seen, by comparing that of Basil with the one promulgated, in public Session, on the following day, that, with the exception of a clause or two, which had been interpreted in an erroneous manner by the ambassadors, the two forms are very nearly the same. The Councils of Constance and of Sienna are expressly derogated from, in regard of a decree which the Protestants had asserted to be contained therein against keeping faith with heretics where religion is concerned; though, as Pallavicini justly remarks,^(*) no such decree emanated from either of those Councils.

In the public Session, which was held on the day appointed, the 25th of January, 1551, Niccolo Maria Caraccioli, bishop of Catanea, celebrated the mass, and the sermon was preached by Giambattista Campeggio, the bishop of Majorca. Nothing, however, was done, but to assign the reasons for the prorogation of the Council, and to propose and accept the safe-conduct, as explained and extended. The next Session was appointed to be held on the 19th of March, 1552; and in the mean time, the Fathers were to proceed with the sacrament of matrimony, and with reformation.

There were present, besides the presidents, one cardinal, eight archbishops, thirty-two bishops, three abbots, and three generals of orders.

(*) Lib. xii., c. xv., p. 1135—36.

SESSION XVI.

The Safe-conduct objected to.—Arrival of Protestant Deputies.—They object to the Congregations.—Which are suspended.—But negotiations are continued.—Protestant League with France.—The Protestants leave the Council.—Prorogation of the Session.—War between the Emperor and the King of France.—Suspension of the Council.—Death of the Legale Crescenzo.—Convention of Passau.—Death of Edward VI., and accession of Mary.—Embassy from England to Rome.—Death of Julius.—Is succeeded by Marcellus II.—His death.—Is succeeded by Paul IV.—Proposes to assemble a Lateran Council.—His death.—Pius IV.—Accession of Elizabeth.—Pius resolves to resume the Council at Trent.—Despatches Nuncios to the Catholic and Protestant States.—Represents his difficulties.—Bull of Convocation.—Commendone.—Reply of the Protestant Princes.—Hopes of reconciliation.

As the safe-conduct was not, as has been said, in every respect the same as that of Basil, the Protestant ambassadors expressed themselves discontented with it ; but this did not prevent deputies from Wittemberg and Strasburgh appearing at Trent to enter upon the proposed discussions. They also remonstrated against the sitting of the congregations to prepare the canons on matrimony for the ensuing Session ; and, by the intrigues of the Imperial ambassadors, those preparations were eventually suspended.

But, in the midst of all these signs of disagreement, the Elector of Saxony sent orders to his ambassadors to continue their negotiations with the Council ; and informed the Fathers, that he would himself soon confer with the Emperor on the best means of bringing matters to a satisfactory conclusion : a hope which was soon destined to be destroyed, by the intelligence that the Protestant

princes had leagued themselves, with the King of France, against their lawful sovereign. This event caused the Elector of Treves to hasten to his own province ; an example which was soon followed by two other Electors, and gradually by all the Protestant ambassadors.

In consequence of these and other hindrances, in a congregation, held on the 18th of March, the Session, which was to have been held on the following day, was prorogued to the 1st of May. On the 25th of March, the Legate began to exhibit signs of that illness which in a short time carried him to his grave.

The war between the Protestant princes and the Emperor had now commenced. After taking Augsburg, the Lutherans threatened Inspruck, a city not far from Trent. Many Italian, and some Spanish, bishops fled from Trent ; and Madrucci informed the Pontiff that that city was not safe from the assault of the confederates. In a consistory, held on the 15th of April, it was resolved to suspend the Council ; and Julius forwarded the necessary Breve to the presidents. But they, in consequence of the opposition of the Imperialists, felt it expedient, not to promulgate the Breve without further instructions from Rome ; informing the Pontiff that, it would be their endeavour, in the mean time, to secure the concurrence of the Fathers in the proposed suspension. Julius, however, renewed his orders, in a note dated May 1st ; but, prior to its arrival, the danger of an attack upon Trent became so imminent and clear, that it was determined, in a congregation held on the 24th of April, to proceed at once to suspend the Council, without waiting for the appointed day of Session.

Accordingly, a Session was held on the 28th of April, 1552, in which mass having been celebrated by Michael della Torre, bishop of Ceneda, the decree for the conditional suspension of the Council, during two years, was read and approved of by all present, except twelve Spanish bishops, who entered their protest against it ; one, Giambernardo Diaz, bishop of Calaorra, being opposed even to a prorogation, the rest to the suspension, of the Council.

These prelates, however, when they saw Charles obliged to fly precipitately from Inspruck, soon acknowledged the prudence of the majority, and hurriedly followed their example in abandoning Trent. The Legate, though dying, caused himself to be conveyed by the Adige to Verona, where, three days after his arrival, he expired. His body was conveyed to Rome. We have now to pass rapidly over the ten years which intervened between the suspension of the Council and its resumption.

The war between the Protestant princes and the Emperor was terminated in August, 1552, by the convention of Passau; but, as this did not put an end to the war between the King of France and the Emperor, it was found impossible, or inexpedient, to resume the Council at the expiration of the two years provisionally fixed upon.

Meanwhile, by the death of Edward VI. of England, the hopes of the Pontiff, that England would return to her former faith, were soon destined to be realised, upon the accession of Mary to the throne; after the discomfiture of the intrigues of Northumberland, backed by the Protestant party, to exclude her from the throne on account of her religion. An embassy was sent from England to Rome, consisting of persons of the three estates, the Church, the peerage, and the people; but, a few days before its arrival, Pope Julius died, on the 23rd of March 1555, in the sixty-eighth year of his age, and the sixth of his pontificate. He was succeeded, on the 9th of April, by Marcello Cervini, who, retaining his own name, was called Marcellus II. The great expectations entertained of his pontificate were doomed to a speedy disappointment; for, after reigning only twenty-two days, he expired on the last day of April, in the year 1555. On the 23rd of May, Cardinal Caraffa was chosen to succeed him, and took the name of Paul IV. During his troubled and unpopular pontificate, no attempt was made, from the nature of the times, to restore the Council at Trent; though he had at one time the intention of summoning a Council, to be held in the Lateran church; an intention, however,

which he soon found it difficult, or impossible, to carry into effect. His death took place in the eighty-fourth year of his age on the 18th of August, 1559. But, before his own death, he had to lament that of Cardinal Pole, and of Queen Mary; the accession of Elizabeth, and another change of religion in England, resulting, it would seem, as a matter of course, from the varying interests, or caprice, or convictions of the ruling monarch.

On the 26th of December, 1559, the Cardinal De' Medici was chosen his successor, and took the name of Pius IV. Under him the Council of Trent was resumed.

Almost immediately after his accession to the pontifical throne, Pius expressed his desire to continue the interrupted Council; in which wish he was confirmed by the ambassadors of Ferdinand, and also in a special manner by those of the King of France, who now, in his turn, was involved in a fierce war with the Hugonots. The Pontiff replied to their requests, that he would at once take measures to renew the Council; and that, though Constance had been named as a desirable place for that assembly, it seemed to him that less difficulty would arise, on many grounds, to the re-establishment of the Council at Trent. In pursuance of this promise, he despatched a Nuncio to Spain to secure the co-operation of the monarch of that country; even though the usual ambassadors had not been sent thence, to congratulate with him on his accession to the Popedom; and, after some delay, this effort was crowned with success. Other ambassadors were likewise sent to the other Catholic princes; and, finally, to the Protestant states, to give them notice of the proposed renewal of the Council, and to obtain from them promises, that their bishops and divines should not be hindered from attending.

But events soon showed that he would have to experience the same difficulties as his predecessors: that those very princes, who, so long as the summoning of the Council was uncertain, were most urgent for its convocation, would, when that same Council was offered, create

difficulties, each according to his own wants and interests, and put forward demands and expectations which could not be complied with or realised.

On the 3rd of June, the Pontiff publicly represented the difficulties which he had to encounter, to the ambassadors from the various courts; declared to them that his earnest desire was that the Council should be resumed, as speedily as possible, at Trent, and that he proclaimed this before them that the blame of delay might not attach to him; requesting them to communicate his wishes to their various sovereigns, and to use their endeavours to remove the obstacles which had been raised.

After various negotiations, which there is not space to detail here, the Pontiff at length succeeded in obtaining the concurrence of the leading princes to the city of Trent as the place of meeting. This consent was communicated to the cardinals, in a consistory held on the 15th of November, 1560; in thanksgiving, a jubilee was ordered to be proclaimed throughout Christendom; and three cardinals were appointed to prepare the Bull convoking the Council. On the 29th of November, the Bull was published in another consistory, and on the following day, a Breve was sent to the prelates and bishops of France informing them of the indiction of the Council; and thus they were prevented from turning their attention any longer to a contemplated national assembly. The day fixed for resuming the Council was the festival of Easter, 1561. That no plea of ignorance might be urged, Commendone was despatched as special Nuncio into Germany; and, accompanied by the resident Nuncio, Delfino, represented to the assembled Protestant princes at Naumberg, that the Pontiff was desirous of their presence, or of their proxies, at the Council; and was prepared to furnish them with the most extensive safe-conduct that ever had been, or could be, granted. The reply of that assembly was bold and uncompromising; but, from secret sources, it was known to the Nuncios, and communicated to the Pope, that the princes, united and resolute as they seemed, were in reality

at variance with each other on points of faith; undecided as to what step was best to be taken; reduced by the late wars to great poverty; and, in fact, held together by that rope of sand—the Confession of Augsburg. Commendone also repaired, for the same object, to Denmark; whilst other officers were sent from Rome to various other courts, and even to that of England. But as the details of these embassies are of little importance to the direct history of the Council, it will suffice to mention the fact; and to remark, that whilst Commendone was engaged in Lower Germany, his colleague Delfino was equally active in Upper Germany, not only with the Catholic, but also with the Protestant, princes and cities, and had reason to entertain favourable hopes of the return to the unity of the Church, of some of the most eminent of the Reformers, as Sturmius, Zanchius, and Virgerius.

SESSION XVII.

Legates appointed.—Assistants and Presidents.—Bishops directed to repair to Trent.—Arrival of three of the Presidents.—Of Bishops.—French Bishops expected.—Subjects to be discussed.—Index proposed.—Abandoned.—The choice to be left to the Fathers.—Opening of the Council postponed.—Demand that the Council be declared a continuation of the preceding assembly.—Opposed.—First General Congregation.—Exhortation to the Fathers.—Session.—Business transacted.—Prelates present.

In a Consistory, held on the fourteenth of February, 1561, Ercole Gonzaga, cardinal of Mantua, and Cardinal Puteo were appointed Legates to the Council; and, on the 10th of March, Seripando, Simonetta, and Osio,⁽¹⁾ men of

(1) Better known by his Latin name, Hosius.

distinguished learning and prudence, and who had been raised to the cardinalate subsequently to the appointment of the first Legates, were united to them as assistants and presidents. On the 17th of March the Legatine cross was given to Seripando; and, in the same Consistory, all the bishops present at Rome were directed to repair to Trent. By the 16th of April, three of the presidents, had arrived at Trent; but, though they made their public entry into the city on that day, they found that only nine prelates had arrived, and that none of the ambassadors had as yet appeared. But, shortly afterwards, several bishops arrived from Venice and the other Italian states; from Portugal, Frà Bartholomeo de' Martiri, archbishop of Braga; Thomas Godwell, bishop of St. Asaph, from England; and, from other parts of Christendom, many daily came, or were known to have begun, or to be preparing for their journey. Hosius, at the desire of the Pontiff, left Germany, and arrived privately at Trent on the 20th of August, and Simonetta early in December. To the five presidents already named another was added in the person of Marco Sitico Altemps, who reached Trent a few weeks after the opening of the Council.

There were now present, in Trent, bishops representing the various Catholic states, except that of France, which, it was expected, would soon send her representatives; and, as the time fixed for the resuming of the Council was drawing near, the Legates turned their attention to the subjects to be proposed in the approaching Session, and to the manner of proposing them. They were at first disposed to begin with the Index of prohibited books, in preparing which some progress had been made; but they abandoned the idea, upon reflecting that such a procedure, entailing the condemnation of the writers as heretical, would be to close with their own hands the door of the Council against them. They next communicated to the Pontiff their wish, that the Fathers present might themselves decide on the subjects to be examined and defined; it being certain, on the one hand, that they would resolve

to continue where the late Council had suspended its proceedings, and on the other, it was desirable that any such step should not seem to be by the direction of the Pontiff, or of his Legates; as this might furnish the Protestants with a plea for not coming to a Council, which, by adopting the subjects proposed to it by the Pontiff's Legates, would seem to proclaim itself under his immediate guidance and jurisdiction; and by resuming the subjects, as left at the suspension of the Council, would practically declare itself but a continuation of the Council of Trent; at once ratify all the past decisions; and preclude that re-examination which they professed to hope, though vainly, would be entered upon in their presence. Pius, accordingly, left this matter to their judgment; and, at their request, the opening of the Council which had, in a Consistory held on the 19th of December, 1560, been deferred to the feast of the Epiphany, was further postponed to the 18th of January, 1562.

But, before the Session, and even before the holding of the first preparatory General Congregation, a great difficulty was occasioned by Guerrero, archbishop of Granada, who, supported by the Spanish prelates, demanded that, in the decree to be passed in the Session, the Council should be openly declared to be a continuation of the previous Council of Trent; and thus the ambiguity of the Papal Bull be avoided, and noted. At length, however, this matter was adjusted; upon its being proved to them, that such was really the meaning and purpose of the Pontiff, but that, in order not to offend unnecessarily the minds and prejudices of the Protestants, any express declaration to that effect had been avoided, and ought still to be avoided, for a time at least, until it became manifest that no hopes were left of the arrival of the Protestants.

The first General Congregation was held on the 15th of January, 1562, in the house of the first Legate; at which meeting, in addition to the presidents, there were one hundred and two prelates present. After the usual prayers, the first Legate congratulated the Fathers on the resump-

tion of their labours ; exhorted them to comply, in their lives and manners, with the directions given at the first opening of the Council ; and then directed the Secretary to read the customary order for the ceremonial to be observed at the ensuing Session, and the draught of the decrees that had been prepared for that occasion. These, which merely related to the opening of the Council, and the indiction of the ensuing Session, were unanimously approved of ; and the congregation was concluded by the reading of certain Breves from the Pontiff, on the subject of precedence as regards primates and archbishops.

Early on the morning of the day fixed for the Session, all the Fathers repaired to the Church of St. Peter, and having robed, proceeded in procession to the cathedral. This ceremony was observed, on this occasion, to give solemnity to the renewal of the Council ; but, in the following Sessions, the prelates went direct to the cathedral. The first Legate sang the mass, which was his first solemn and public mass, since his ordination to the priesthood ; and the sermon was preached by Del Fosso, archbishop of Reggio. The usual ceremonial of the Pontifical having been complied with, the Secretary read the Bull indicting the Council, and the Breve deputing the Legates ; then the prelate who had preached—though this was, as a general rule, the office of the celebrant—kneeling before the Legates, received the decrees and read them from the parchment ; adding, “ Most Illustrious and reverend Lords, and most noble Fathers, does the above meet your pleasure ? ” To which the cardinals having given their *Placet*, the Secretary, with the Notaries, proceeded to record the vote of each of the Fathers as given either by word of mouth, or in writing, and the votes of those prevented from attending by illness were made known, provided they had been present at the previous examination and preparation of the decrees. After this, the Secretary having communicated the result to the Legates, the first of that body declared, “ the decree to be approved of without any dissent, for which we return thanks to God ; ”

or, when there was any opposition, as in the present instance there was, the above words of the Legate were changed for the following ; "The decree is approved of by all, save and except by some who would desire some alteration."

The Promoter of the Council then denounced the contumacy of the absent prelates ; and required of the Notaries present that a record of the proceedings should be duly drawn up ; the *Te Deum* was sung, and the assembly dismissed with the usual blessing. Such was the regular form of proceeding.

In this instance, all agreed to the decrees except the following. The Archbishop of Granada and the Bishop of Orense entered their protest against the words, "the Legates and presidents proposing ;" whilst the Bishops of Leon and of Almeria agreed to the words, provided the Legates proposed only such things as the Council should judge suitable to be proposed. All agreed to the second decree, which intimated the next Session for the 26th of February.

There were present, besides the cardinals, one hundred and six bishops, four mitred abbots, and four generals of orders.

SESSION XVIII.

Subjects proposed.—The Index and Safe-Conduct.—Opinions on the Index.—Deputies appointed to prepare it.—And the Decrees.—Safe-Conduct deferred.—Alteration in the proposed Decrees.—Reception of Ambassadors.—Their demands.—The Session.—Decrees.—Four Prelates prepare the Safe-Conduct.—Extension of to all countries where Protestantism was tolerated.—Promulgation of the Safe-Conduct.

In a Congregation, held on the 25th of January, 1562, the Legates proposed three subjects for the consideration of the Fathers. 1. To prepare an Index of prohibited books. 2. To invite to the Council those concerned in such books, that they might not complain of being condemned unheard. 3. To prepare such a safe-conduct as might meet the demands of the Protestants.

Accordingly, in the Congregation held on the 1st of February, these subjects were considered at great length; but, as the Council eventually resolved not to charge itself with the formation of an Index, but to leave the matter to the Sovereign Pontiff, it will be enough to give a summary of the various opinions of the Prelates on this subject.

The Patriarch of Jerusalem advised that the work should be undertaken, and be at once referred to a number of deputies chosen from the members of the Council. His opinion was followed by the Coadjutor Bishop of Aquileia; who further recommended that the Index formed under Paul IV., should be taken as the basis of their labours. This opinion, with slight modifications, was received with favour by the majority of the Fathers. But, the Archbishop of Granada opposed the undertaking, as being one which would involve the Council in a most protracted

labour, and withdraw it from subjects of much greater consequence. The Archbishop of Braga agreed with him, and proposed that the matter should be entrusted to one, or several, of the Catholic universities. Other prelates supported this view, but not in equal numbers to those who advocated the former opinion.

The second and third proposals were almost unanimously acceded to ; and the Legates requested of the Fathers to nominate deputies to prepare the Index, and to appoint others to draw up the proposed decrees. Eighteen of the Fathers were selected for the former of these objects, with power to use the services of the Theologians, and with directions to attend to such recommendations as any of the Fathers might suggest.

In a subsequent Congregation, in consequence of the representation of the Archbishop of Granada, that the safe-conduct, as prepared, would interfere with the operation of the Inquisition in Spain and Portugal, it was resolved, not to propose that document in the approaching Session, but to defer it to a General Congregation, which should be empowered to promulgate it with Conciliar authority. Some slight verbal alterations were also suggested, by Cardinal Madrucci, in that part of the decree which treats of the Index ; as that, instead of *bad* books, the words *suspected and pernicious* should be substituted ; which was agreed to. The Archbishop of Granada renewed the old request for the introduction of the representing clause ; but was opposed, especially by the Archbishop of Rossano.

During these preparations, the ambassadors of various powers were publicly received by the Council, and their precedence debated and adjusted. The Imperial Ambassadors, when presented, recommended, on the part of the Emperor, that, in order not to give unnecessary offence to the Protestants the word *continuation* of the Council should be avoided ; that the condemnation of the Confession of Augsburg should not be inserted in the Index ; that the decisions on articles of faith should be deferred until the arrival of the representatives of the Protestant party ; and

finally that the safe-conduct should be of the most ample and satisfactory form: to all which requests favourable answers were returned.

On the morning of the 26th of February, 1562, the Fathers assembled in the cathedral, to hold the appointed Session. After much confusion, in consequence of a dispute on the subject of precedency between the Ambassadors of the Kings of Portugal and Hungary; various Pontifical Breves were read, relative to the Index, the usual Indulgences, and certain claims of precedence. The Celebrant then read the first decree, as it is found in the body of this work. It was agreed to by all, but the Bishop of Granada, who again demanded the insertion of the representing clause. The second decree, which fixed the next Session for the 14th of May, was approved of by all; though twelve prelates wished that it should contain a further clause, declaring that, in the mean time, the Council would employ itself in preparing matters for the ensuing Session.

Immediately after the Session, the task of preparing the promised safe-conduct was assigned to four of the prelates; when, after much deliberation, and many discussions in public Congregations, it was agreed, that the form employed under Julius III., in 1552, should be again adopted, with an extension of its provisions and security to those countries in which the Protestant religion was tolerated. These documents, which will be found at the close of the eighteenth Session, were published at Trent on the 8th of March, affixed to the doors of the cathedral, and promulgated, throughout the various countries of Christendom, by means of the Papal nuncios.

SESSION XIX.

Seripando proposes a scheme of Reformation.—Referred to Simonetta.—Twelve articles selected, and submitted to the Fathers.—Articles on Clandestine Marriages referred to the Theologians.—Delays.—Arrival of Ambassadors.—French Prelates expected.—Debates on the origin of the law of residence.—Instructions from Rome.—Violent discussions.—Heads of debate.—Arguments on each side.—Reference to the Pontiff advised.—Pendasio sent to Rome.—Difficulty in ascertaining the opinion of the Fathers on residence.—Method adopted.—Result of the scrutiny.—Difficulty in which the Pontiff is placed.—Deputies prepare a draught of the decrees.—The articles on Clandestine Marriages deferred.—Arrival of Ambassadors.—Promulgation of the decrees delayed.—Instructions from Rome.—Session.

The safe-conduct having been satisfactorily completed, the Legates proceeded to the subject of Reformation, to which they were impelled by the representations of the Imperial ambassadors. Seripando, who was especially urgent that a searching and an extensive reformation of discipline should be undertaken, was commissioned to draw up such a scheme as the circumstances of the church and of the times, might seem to him to require ; and to take, for this purpose, the advice of such prelates as he might choose to consult secretly and confidentially. In a short time he presented to the other Legates and presidents, the model required ; concealing the names of his advisers and associates.

The draught was confided for examination to Simonetta, on account of his intimate acquaintance with canon law, and the practice of the Roman courts ; but he, unwilling to take the whole burthen and responsibility on himself, chose, as his assistants, Castagna, Boncompagno, Paleotto, and the promoter of the Council, Castelli. At their meet-

ings, Seripando urged that the reformation should begin with the tribunals of Rome ; representing, that the Pontiff had several times expressed, to Paleotto, his willingness that the Council should freely correct whatsoever abuses had crept into his court. He was, however, overruled by the majority, who wished to commence with matters of less consequence indeed, but of more general application ; with reforms, that is, which would affect not one country only, but all the nations of Christendom. The selection of the specific subjects of reform having been committed especially to Simonetta, he, in conjunction with his colleagues, proposed the following twelve articles, by way of inquiry, in order to elicit, as fully as possible, the opinions of the Fathers.

1. How may it be best effected, that all patriarchs, archbishops, and bishops, shall reside in their own churches, and not be absent thence except for good and necessary causes, and such as may be for the benefit of the Catholic Church ?

2. Is it advisable, that no one, who has not an actual title to a benefice, be promoted to sacred orders ; it being well known that many frauds are committed under the plea of patrimonial titles ?

3. Is it also advisable, that neither those who confer orders, nor their officers, be allowed to receive any payment on account of the collation of orders ?

4. Ought bishops to be empowered to establish daily distributions, in those churches where they either do not already exist, or are so slight as to be neglected, and to derive the revenues for that purpose from prebends to which there is no actual service attached ?

5. Ought parishes, which, from their extent, require the services of a greater number of priests, to be divided by the Ordinary into the requisite number of titles ?

6. And such cures, on the other hand, as have not a revenue sufficient for the maintenance of the actual number of incumbents, ought they to be united, in such manner and number, as to furnish a competent provision ?

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7. There being many parish priests, and especially many curates, whose ignorance and evil lives tend rather to destroy, than to edify, their flocks, was it desirable that the Ordinaries should be empowered to appoint them assistants, assigning them a suitable portion of the fruits for their support?

8. Ought power to be granted to bishops to transfer to the Mother Churches, such benefices or chapels as have fallen into ruin, and are too poor to be restored?

9. Ought it to be ordained, that benefices *in commendam*, even those belonging to Regulars, should be visited, and all necessary reforms be therein introduced, by the Ordinaries?

10. Ought clandestine marriages to be declared, henceforth, null and void?

11. What conditions are to be declared essential, for a marriage not to be regarded as clandestine, but as lawfully contracted in the face of the Church?

12. Serious attention is directed to the speedy application of suitable remedies to the grave abuses of the quæstors.

The two articles on clandestine marriages were referred to the Theologians. Simonetta, who foresaw the discussion and discord to which the first article would give rise, advised that it should be postponed; a suggestion which, by the direction of Ferdinand, was violently opposed by the Imperial prelates and ambassadors. It was, therefore, judged advisable to propose it; together with the rest of the articles, to the assembled Fathers; which was accordingly done by the Cardinal of Mantua, in a General Congregation, held on the 11th of March.

The examination, however, of the proposed articles was not at once proceeded with, for various reasons. The arrival of D'Avilos, as ambassador from Spain; of Melchior Lussi from the Catholic cantons of Switzerland, and from one of the mixed cantons; of Giovanni Strozzi, from Florence; the usual disputes about precedence between the representatives of the two latter powers; the delays

interposed by Ferdinand, caused continued interruptions. Nor must it be omitted, that it was the anxious desire of the Pontiff, that representatives of the French nation and church should be present at the Council ; a wish which a letter, addressed by the King of France to his ambassador at Rome, seemed to show was not unlikely to be realised. That monarch declared that he did not in any way object to the resumed Council being called a continuation of the previous assembly at Trent ; and that he would, further, leave it to the Council then sitting, to decide on the existing religious controversies ; a declaration and recognition which filled the mind of the Pontiff with joy. The Legates, indeed, to whom that letter was communicated, entertained doubts of that monarch's sincerity ; which were soon agreeably dispelled by the appearance, towards the middle of April, of Lanza, accompanied by Du Ferrier, and De Pibrac, as ambassadors from France, and the almost simultaneous presence of Bellai, bishop of Paris, who arrived at Trent on the 14th of April, 1562.

Another source of pleasure was the arrival of John Coloswarin, bishop of Chonad, and Dudiz, bishop of Tiniana, to represent the clergy of Hungary ; and to proclaim their readiness to accept and put in execution whatsoever might be decreed by the Council.

But, during these delays, the minds of the prelates were violently and continually agitated by private conversations and debates on the first article. Was the residence of prelates, and of those charged with the cure of souls, obligatory, as enjoined by the law of God, or that of the Church ? Each opinion had numerous and powerful supporters, who seemed resolved that this question, as to its being of divine or ecclesiastical right, should now be finally settled ; and any prelate, who hesitated to give in his adhesion to one opinion or the other, was put down as either ignorant or obstinate.

Simonetta informed the Pontiff of the excitement prevailing on this subject, which alone, he declared, occupied the thoughts and conversation of the whole body of pre-

lates ; and requested instructions as to the manner in which the Presidents, as his representatives, would be expected to act in the coming emergency.

They were directed to avoid altogether, if possible, all controversy on the mere question of right, as being a matter of dogma, on which it had been agreed that no decision of any kind should, for a time, be promulgated ; and to confine themselves to the practical reformation of discipline. Later, however, he informed them, that, if the question could not be avoided without grave inconvenience, he left the whole to their judgment and prudence.

It was with this prospect before them of angry and protracted debate, that the Presidents held, at length, a General Congregation on the 7th of April. The first four articles were proposed for deliberation, but, as was expected, such was the diversity of opinion, and such the length at which those opinions were delivered and maintained, that but few of the Fathers could deliver their sentiments on that day.

The first article was naturally the one which engaged most attention ; and the whole question of ecclesiastical or divine law, as to the origin of the necessity of residence, was opened by the Archbishop of Granada. That prelate recommended that the subject should be at once consigned to the consulting Theologians, to be by them discussed, and reported on to the congregation of bishops ; and remarked that, after all, as the precept, even if declared to be of divine origin, was an affirmative, and not a negative, ordinance, it would still, by a well-known rule, be subject to such limitations and exceptions as circumstances might justify. The subject once propounded was eagerly, if not fiercely debated, day after day, and was gradually considered under the following five heads. The evils arising from non-residence, and the consequent necessity of residing ; the impediments to residence, and the means of removing them ; the penalties that should be inflicted ; the rewards that should be proposed ; and finally, the method of ensuring the execution of any decree that might

be passed, in regard of this important subject. On each of these points, the prelates entered into numerous details, comprising and opening up nearly the whole government of the church, in all its multiplied parts, which were examined, and, wherever abuses existed, denounced, with a vehemence and plainness that made the ensuing congregations a scene of much confusion and discord.

On the first article especially, as has been said, were the minds of the Fathers most completely and violently agitated and divided, in so much so, that scarcely did eleven congregations suffice to enable the prelates to deliver their opinions. It will be well to give a brief statement of the principal arguments used by the two contending parties, in favour of, and against, declaring residence to be of divine right.

For the affirmative sentence, it was argued, that the chief, if not the only, source of the disorders which were destroying their flocks, was to be traced to the absence of their appointed pastors, who left their folds unguarded against the attacks of wolves in sheep's clothing. To expect to secure the residence of pastors, by the renewal of the laws passed in previous Councils, was to remain untaught by experience, which had proved those laws to be ineffectual; restraints only for the poor and powerless, if even for them, but of no manner of use to coerce the rich and the powerful. The mere increase of canonical penalties might indeed add to the grievousness of the contumacy on the part of transgressions, but would be of little effect in remedying an evil, which required that residence should be secured, not by merely attempting to disgrace and punish the guilty, but by forcing all, by an absolute necessity, to reside. Punishment being comparatively useless; rewards being by many uncared for; it behoved them to bind the consciences of all pastors, by a tie which none but the most unworthy would dare to break—the bond of conscience, and conscience agitated with a conviction, that, in violating the law of residence, they were violating the law of God, and made amenable not merely

to a human, but to a divine and supreme, tribunal. Human laws are often despised as foolish, or broken, as too weak to bind the strong ; whereas, were it declared that residence is obligatory, as being the command of God, none would dare despise, few be hardy enough to attempt to violate it. Thus, and thus only, are men restrained from evil ; or moved to the performance of the more painful duties of religion, such as confession and fasting ; by a conviction, that is, that God, being the author of the prohibition, or precept, he is also the punisher and avenger of neglect and prevarication. The number of prelates who demanded that the question should now, once for all, be debated and settled, rendered it impossible to avoid coming to some decision ; nor should they be deterred by imagining that, should residence be declared of divine right, all necessary exceptions to the general law would be henceforth sinful, or impossible ; seeing that even some of the commandments, and the precept of confession, were subject to such exceptions and limitations, as are necessarily involved in all affirmative precepts. Nor need they fear any undue limitation of the pontifical power and jurisdiction. That power being of divine origin could not be essentially in opposition to any ordinance of God. It might indeed be practically restrained, or be exercised with greater moderation ; but if this were for the good of the Church, and in obedience to what is really a law of God ; this restoration, or regulation, of discipline, instead of degrading or weakening, would only serve to add fresh glory and firmness, to the real and due rights of the Pontiff.

On the other hand it was urged, that to attempt to decide on the nature of the law which requires the residence of pastors, would be to assume, or to exercise, a power, which every previous Council had sedulously abstained from ; nay, which even this very Council, in its earlier Sessions, had wisely refrained from using. Would it not be to countenance one of the errors of the Innovators, who had laid down the position, that nothing is to be enforced

as necessary and obligatory, which is not clearly taught by the law of God ; a doctrine which had been already condemned in words by the Council, but which would seem to be now approved of, or favoured, by their actions, should they declare it necessary, for the enforcement of residence, to abandon the law of the Church as ineffectual for that object ; and to fall back upon the law of God, as alone equal to the emergency. What evils would speedily result from such a declaration. If God requires residence as His own binding law, how easy to pass to the conclusion, that all hindrances to that law are opposed to the will and ordinance of God ; and thus, at one stroke, the recognised privileges of the Roman Pontiff ; his tribunals ; the privileges of princes ; the rights and immunities of the Regulars ; in a word the whole actual government of the Church, be, under the name of reform, destroyed or revolutionized ; and the wise provisions of antiquity be swept away as opposed to residence, and consequently as detrimental to the good, if not to the very purity and character, of the Church. What an occasion would be offered to the discontented, to reproach an absent prelate, as contravening the divine law, and to denounce the Pontiff, who might require that absence, as equally guilty in God's sight. Neither did it seem that any great benefit would result from declaring residence of divine right ; since experience showed, that the majority of men feel less shame, and perhaps less remorse, in violating certain known laws of God, as for example His commands in regard of chastity, than in breaking the commandments of the Church, such as abstinence, or the hearing mass on festivals, and other such ecclesiastical regulations. Not the origin of the precept, but the hindrances and encouragements to its observance, should engage the study and the zeal of the Fathers ; who, by rewarding residence, and punishing non-residence, would more effectually secure compliance, than by any decision on a speculative question ; especially as, after all, exceptions and limitations being necessarily to be admitted, any

such decision would only be a snare to the timid, and a flimsy web to oppose against the more resolute, or unscrupulous. It could not be pretended, that residence, even if declared of divine right, required the actual presence of the body, and not merely the supervision of the mind and of the energies, of prelates and pastors. In some extensive dioceses, a resident prelate is further removed from some portions of his flock, than in a diocese of narrower limits, many prelates would be, if living even at some distance from any portion of their dioceses. Neither did experience confirm the assertion, that the absence of prelates had occasioned the present evils ; for, in Germany, France, Scotland, and England, those evils were far greater than in Italy, though actual residence had been there less strictly observed, than in any of the above-named countries.

Such were the arguments used on this subject ; but, in addition to those who affirmed, or denied, the divine origin of the law of residence, there were others who steered a middle course, declining to give any decisive opinion, or to come to any definite conclusion, without first consulting the Sovereign Pontiff.

Meanwhile the Legates had despatched Pendasio, as early as the 11th of April, to inform the Pontiff of the actual state of opinions and parties, not so much on the subject of residence, as in general on the extensive nature of the reformation required by the Council. They represented that the reforms made in the previous Sessions were regarded as unequal to the requirements of the times and of the Church ; and that an almost unanimous opinion prevailed amongst the Fathers, that, as the heretics had shown no disposition to receive the dogmatical decisions of the Council, the only means left to secure the Church against further losses and evils, was a full and unsparing reform of all abuses of whatever character, and in whatsoever quarter, or tribunal ; without, however, interfering with those things immediately under the direction of the Sovereign Pontiff. They noticed, that the reforms recom-

mended, under Paul III., by a congregation of cardinals, were much desired ; and they further sent a list of ninety-five articles, recommended by various prelates to the consideration of the Council.

But, before any answer could be returned from Rome, the violent debates already noticed had taken place in the Congregations ; and as, from the character of the votes given, and the numerous limitations required by many of the Fathers, as the conditions of their concurrence in either of the two opinions on the origin of the law of residence, and in the advisability of determining this in Session, the Legates were unable to decide clearly to which side the majority leant ; they resolved to propose, in the next General Congregation, that the prelates should declare their wishes, by the simple words, *placet*, or *non placet*. Madrucci refused to submit to this method, and declined giving any other answer than that contained in his previous vote. Others imitated his example ; but, notwithstanding this hindrance and opposition, the Legates resolutely persevered in their determination to ascertain the exact sentiments of the Fathers. For this end, besides the usual Secretary, there were chosen two others, the Patriarch of Jerusalem, and the Archbishop of Granada, to assist him in collecting and registering the votes. The result is thus recorded by the Secretary, Massarelli : “The votes were all read aloud by me, the Secretary, and approved of, as correct, by each prelate. They are as follows : For the affirmative, sixty-six ; for the negative, simply, or with some addition, or with a reference to the Sovereign Pontiff, seventy-nine. The above does not comprise the votes of the Cardinal Madrucci, or of the bishops of Lerida, and of Budoa, or of the abbots ;^(v) but

(v) The Cardinal and the Bishop of Lerida referred to their previous speeches and votes ; the Bishop of Budoa voted that residence should be *proclaimed*, but not *defined*, as of divine right. The votes of the three Abbots of Monte Cassino were, it has been noticed, to count as one ; but, on this occasion, two were in favour of, and one against, defining residence to be of divine right.

the bishop of Lerida has since desired his vote to be placed on the affirmative side, which, therefore, reckons sixty-seven votes." It was now evident that, according to the votes, no resolution could be come to without first consulting the Pontiff; who was thereby placed, as he declared, in a very odious and painful position. For, whatsoever advice he might give was sure to offend a powerful party. To decide against the solution of the question, would be open to the reproach of placing an obstacle in the way of that particular reform, which was by many proclaimed to be the only efficacious remedy for the evils of the times; whilst, to recommend that a decision should be come to would not only offend many friends, but would be to urge on the promulgation of an article of faith, in opposition to a minority indeed, but one powerful, numerous, and eminent for learning; and would also be to deviate from what had hitherto been a fixed rule,—the avoidance of any determination of questions previously held, without reproach, in the Schools.

This business ended, or prorogued, the Legates caused certain delegates to be selected, from the prelates of various nations, to prepare a draught of the proposed decrees, on the three other articles of reformation already discussed; and it was also resolved to reserve the two articles on clandestine marriages to a more fitting occasion; when the sacrament of matrimony would, in its turn, come under the consideration of the Council.

On the day previous to that on which the above-named scrutiny was made, there arrived, as ambassadors from Venice, Niccolo da Ponte, and Matteo Dandolo, who were received, by the Fathers, in the General Congregation held on the 25th of April, 1562. Frequent meetings were now held in order to have the proposed decrees ready for the day of Session, the 14th of May. But a letter which reached Trent, on the 15th of April, from Lanssac, who was appointed ambassador from the French court, delayed the proceedings, and finally occasioned that, on the day of Session, the appointed decrees were

not promulgated. That ambassador represented that he would make all possible haste to appear at Trent, accompanied by Ferrier and Pibrac; and requested that the proceedings might be delayed for a few days, should he be unable to arrive at Trent by the day fixed for the Session.

The Archbishop of Granada opposed this request; declaring the Fathers incompetent to prorogue the day of Session, without being authorized to do so by a decree in Session: an opinion, which, though it was not adopted by the majority, led to the resolution to hold the Session on the day named, but without promulgating any decree, beyond appointing an early day for the despatch of business.

The Legates were now anxiously expecting the return of Pendasio from Rome; but an accident, which detained him near Mantua, rendered it necessary to send a special messenger to receive his despatches and instructions. The Pontiff's directions were, to defer, if possible, the determination of the question, until the minds of the prelates had calmed down, so as to approach the subject with greater clearness and deliberation; and accordingly the Presidents resolved, that the decision should be postponed until the sacrament of Order, under which this question naturally ranged itself, should come under examination.

On the first of May, Paungatner arrived as ambassador from the Duke of Bavaria.

On the 14th of May, 1562, was held the nineteenth Session, at which the Patriarch of Venice celebrated the mass, and Bervaldo, Bishop of Saint Agatha, preached. The decree, proroguing the Session to the 4th of June having been read, the credentials of the ambassadors from Spain, and Florence, and those of the Bishops of Chonad and Tiniana as representatives of the clergy of Hungary, were formally received; and thus closed the troubled and anxious proceedings of this Session.

SESSION XX.

Directions of the Legates in regard of residence.—Countermanded.—Letters from the Pope.—Offend two of the Presidents.—Seripando defends himself.—The French Ambassadors.—Perplexity of the Legates.—Resolve merely to prorogue the Session.—Prepare to send an agent to Rome.—Rendered unnecessary.—The Session.—Business transacted.—Prelates present.

As the next Session was to be held in a few days, the Presidents, whilst waiting for the reply of the Pontiff to the reference made to him by the Council, had directed the eight deputies, selected to prepare the decrees, to introduce also the first article on residence, declaring it to be of divine right, but allowing to each prelate an absence of two months in each year; and to the Pontiff a wide latitude of dispensation; a privilege which was also, in countries remote from Rome, to be enjoyed by the metropolitans, in cases of sudden emergency. But, scarcely had the decrees been completed, and placed for revision in the hands of four eminent jurists, when letters and instructions arrived from Rome, which caused them to determine to postpone, if possible, the promulgation of the decrees till another Session. In his reply, the Pontiff gave his opinion on each of the ninety-five articles of reformation; all of which he left to be decided by the Council, except eleven points which immediately affected his own tribunals, and to which he declared it to be his intention to apply a remedy, of his own authority. As to the article of residence, he wished that it should either, once for all, be resolved not to discuss it, or that the discussion should be deferred, as has been said, till men's minds had recovered that calm and clear state which so important a question required.

There were other parts of the letters from the Pontiff which wounded severely the Presidents, especially the Cardinal of Mantua, and Seripando, who were known to be favourable to the divine right of residence. They were also aware, that it was proposed to send three other Legates to the Council; that a congregation of six cardinals was sitting at Rome, to watch the proceedings at Trent; that their colleague Simonetta, who differed from them on the origin of residence, was in secret correspondence with Cardinal Borromeo and the Pope; in a word they felt their present position painful and precarious. Seripando resolved to justify himself at Rome, and so effectually did he succeed, that the additional Legates were not sent; though Visconti was deputed to Trent, to maintain a continual and minute correspondence with the Pontiff, on the proceedings of the Council.

Other anxieties and vexations awaited the Presidents, on the arrival of Lanssac, on the 18th of May, and of his colleagues who appeared shortly afterwards. These ambassadors were more than suspected of heterodoxy, or indifference to religion; and their speeches in Congregation served to confirm that suspicion. Amidst a multiplicity of other demands, they required that the present Council at Trent should be declared entirely distinct from the assembly held there previously; the Spaniards were as urgent that it should be declared a continuation of it; whilst the Imperialists were ordered to withdraw from all participation in the proceedings should any such decision be introduced into the decrees. To add to these embarrassments, the Presidents had received orders from the Pope, to propose, at all hazards, a clause declaratory of the continuation; for such, he represented, had been his own view when he assembled the Council; and he had, moreover, distinctly promised to the King of Spain, that a declaration to that effect should be passed in the Council.

The Legates, foreseeing that to obey this mandate, would be to dissolve the Council, determined to act on

their own responsibility, and to defer, at least, any such attempt, to a more fitting occasion; to abstain from any decree whatever, beyond the mere prorogation of the Session, in the public assembly which was so soon to be held.

To justify their conduct, they had agreed to despatch the Cardinal Altemps, to Rome; when, on the very eve of the Session, fresh directions arrived from the Pontiff, leaving it to their judgment to omit the obnoxious clause, if the good of the Council seemed to require the omission; but to make the continuation practically evident to the world, by the connexion of the subjects treated of.

Upon receiving this letter, Seripando, in the absence of the first Legate, cheerfully presided over the General Congregation, held on the 3rd of June, in which the reply to the speech of the French ambassador was read and approved of; the proxies of the Archbishop of Salzburg were received; and the decree, prepared for the Session of the following day, was proposed to the consideration of the Fathers. Its contents were approved of by all, but the Archbishop of Lanciano, who objected to the power given to anticipate, by order of a General Congregation, the day of Session. The omission of the article on residence, and of the continuation clause, was also objected to, the former by about twenty-five prelates, principally Spaniards, and the latter by about ten prelates, from Italy and Spain. On the following day, the 4th of June, 1562, was held the twentieth Session, at which the mass was celebrated by the Bishop of Salamanca, and the Sermon preached by Ragazzone, bishop of Nazianzum, and elect of Famagosta. The credentials of the Swiss and French ambassadors, and of the proctors of the Archbishop of Salzburg, having been received; and the discourse of the French ambassador read and replied to; the decree of prorogation was proposed by the Celebrant, and approved of by all, but thirty-six bishops, who gave in their protests in writing, referring to their votes given in the previous congregation, which required either the insertion of the clauses, defining the

origin of residence, or the continuation of the Council. The next Session was appointed to be held on the 16th of July, of the same year. There were present, the four Legates, one other cardinal, two patriarchs, seventeen archbishops, one hundred and thirty-eight bishops, two abbots, and four generals of religious orders. (*)

SESSION XXI.

The four Articles proposed to be placed before the Theologians.—Opposed by the Archbishop of Granada.—Violent debate on Residence.—The Legate's promise.—Proposal agreed to.—Question of continuation resumed.—Agent sent to Rome.—His Instructions.—The Cardinal of Mantua sends in his Resignation.—Which is declined.—Arrival of Bavarian Ambassador.—Opinions of Theologians on the Articles.—Opinions of the Bishops.—Alterations in the Draught of Canons of Faith and Decrees on Reformation.—The Archbishop of Lanciano returns from Rome.—His Instructions.—Salmeron and Torres.—The Session.—Number of Prelates present.

On the 6th of June, two days, that is, after the previous Session, the Legates proposed, in General Congregation, to place in the hands of the Theologians, the articles on the Eucharist which had been postponed under Julius. They regarded the use of the Eucharist, and were the following :

1. Is it obligatory, by the ordinance of God, on every Christian, to receive the sacrament of the Eucharist under both species ?

(*) So Le Plat. Servanzio's list is somewhat different. According to him there were the four Legates, one other cardinal, five patriarchs, two archbishops, one hundred and twenty-eight bishops, two abbots, and four generals of orders.

2. Are the reasons, which have induced the Catholic Church, to communicate, under the species of bread only, laymen and priests when not celebrating, to be adhered to so strictly, as that the use of the chalice is not to be allowed, to any of the above-named persons, under any circumstances whatsoever?

3. In case that, for reasons beseeeming and consonant with Christian charity, it should be thought fit to concede the use of the chalice to any nation or kingdom, is this to be granted under certain conditions, and what should these conditions be? Does he who partakes of this sacrament under one species receive less than if he received it under both?

4. Is it required, by the law of God, that this august sacrament be administered to children before they have attained to the use of reason?

The Theologians were directed to discriminate clearly between what was of faith, and what merely matter of opinion, or actual heresy, on the above subjects.

Many of the Fathers agreed to this proposal; but the Archbishop of Granada objected against any such discussion, or reference. The first article, he contended, had been already decided in the Council of Constance, and could not therefore be re-opened; whilst the remaining articles flowed so directly from that first proposition, that they could not offer any difficulty which could render it needful to refer them to the Theologians. Better far would it be to proceed at once to the sacrament of Order, and so decide, according to agreement, the vexed question of residence. The arguments against the divine right of residence were in his judgment so futile, that they had but the more confirmed his conviction of the divine origin of the law, a belief in defence of which he was ready to lay down his life; and the assertion of which could alone remedy the evils of a relaxed discipline.

These remarks renewed all the violence which had characterised the debates on this subject in the previous congregations. The Archbishop of Rossano denounced the

discussion of the question as unsuited both to the temper of the times and of the Council ; adding other remarks which so roused and excited the supporters of the divine right of residence, that the first Legate felt compelled to interfere between the contending parties. With some difficulty he succeeded in calming their indignation ; by promising that the subject should be fully argued, according to promise, when the sacrament of Order should come under their consideration : a promise which caused him much trouble both at Trent and Rome, as having been given without the concurrence of his colleagues, and as binding the Pontiff to keep open a question which he really wished might either be suppressed altogether, or deferred to a later period. It served, however, to bring back the attention of the congregation to the proposal before them, which was at length acceded to ; and the four articles were accordingly consigned to the Theologians.

On the following day, another difficulty no less embarrassing awaited the Legates. The Imperialists, by the orders of Ferdinand, besides presenting a long list of articles of reformation, urged the avoidance of any declaration that the present Council was a continuation of the preceding ; whilst, on the other hand, the Spaniards insisted on the fulfilment of the pledge, given by the Pontiff to their King, that a clause asserting that continuation should be at once introduced into the decrees.

In this emergency, the Legates resolved to send an agent to Rome, to lay before the Pontiff the actual state of parties, and the difficulties of their position. They chose for this purpose Leonardo Marini, archbishop of Lanciano ; and though his commission had relation to the general state of the Council, he was directed to obtain precise instructions especially on two points—the dissolution or translation of the Council, and the question of residence.

They earnestly dissuaded the Pontiff from attempting, at present, to dissolve the Council, a measure which would assuredly occasion great scandal, and probably a grievous schism ; and expressed their hope and belief, that the

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reports which reached them from Rome, relative to such a design, were destitute of any real foundation. On the question of residence, after adverting to various other recommendations on the subject, they advised that, either the votes of the Fathers should be taken, and the matter be, once for all, decided according to the judgment of the majority; or that, in the decrees, its divine origin should rather be taken for granted, than promulgated; and that such rewards and punishments should be added, as might effectually prevent any future neglect of duty in this regard.

Before this period, a letter received from Rome, by Cardinal Simonetta, had made it clear, that no real apprehensions were entertained by the Pontiff, that any undue interference with his authority would be the result of proclaiming residence of divine right; but it was deemed unwise to come to any decision, whilst an opinion prevailed that such was the object, and that such would be the consequences, of the determination.

The first Legate, moreover, knowing that his omission to pass the continuation clause, and his promise that the origin of residence should be, in a short time, debated and decided, had rendered him suspected, if not odious, at Rome, resolved to send in his resignation to the Pontiff. But Pius, however much he might privately desire to remove the Cardinal of Mantua from office, was too prudent not to foresee the scandal and dangers which would attend any such measure, under the actual circumstances of the Council, and he therefore declined to accept his resignation. The cardinal was, in reality, not displeased with this refusal; as it freed him, at once, outwardly at least, from the imputations which had been cast upon his conduct, and enabled him to comply with the private and earnest request of the emperor to retain his present dignity.

On the 27th of June, the ambassador of the Duke of Bavaria arrived at the Council, with a demand, on behalf of the country which he represented, for communion under both kinds, and the reformation and marriage of

the clergy : in the first of which requests he was supported by the Imperialists, in favour of Bohemia, Hungary, and the patrimonial states of the emperor.

Meanwhile, from the 10th, until the 23rd of June, the Theologians had met twice a day to consider the articles that had been placed before them. At length all agreed, that there is no divine law, which requires either laymen, or priests when not sacrificing, to communicate under both kinds ; that infants are not required to communicate ; that as much is contained under one species as under both. But, as to the grace received, the majority were of opinion, that greater grace is received by communicating under both species, than under one. The two other articles, being matters of opinion, rather than of faith, and dependent on times and circumstances, the Theologians were pretty equally divided in their sentiments, as to the prudence and advisability of continuing, or of changing, the actual discipline of the Church, in the administration of communion, under one, or under both, species.

The points on which they were agreed were expressed in four canons, which condemned those who assert, that the participation of both species, by all, is a divine command ; that the Church has erred in forbidding the laity to communicate under both kinds ; that as much is not received under one species, as under both, forasmuch as all that Christ instituted is not received ; that infants are required, by the ordinance of God, to receive the holy Eucharist.

These canons were now placed before the congregations of bishops, with a recommendation from the Legates, that these points only should occupy the attention of the Fathers, to the exclusion of the two remaining articles on which the Theologians had not come to any agreement ; observing, that the near approach of the Session would prevent them from coming to any conclusion on the articles omitted ; which, though matters of practice and discipline, were of great importance, and would require serious and long consideration. This delay was, for

a time, violently opposed by the Imperialists; but they at length agreed to the postponement, on condition that a declaration should be inserted, in the decrees to be passed in the ensuing Session, that the remaining questions should be decided at the earliest opportunity.

As regards the canons, some objection was raised against the first part of the third, as having been already defined under Julius; and even previously settled in the Councils of Florence and Constance; but, upon the representation of Seripando, and of the Patriarch of Venice, that the words proposed regarded not so much what is contained under each species of the Eucharist, as the new error of Luther on the *use* and administration of the Eucharist, it was agreed that the clause should be retained. Though, as has been said, the majority of the Theologians were of opinion, that as much grace is received by communicating under one species as under two, and the Legate Hosius was urgent that this should be defined; the majority decided, that the question should be left undetermined, as it was one that had, hitherto, been open in the schools, and one on which the Council of Constance had declined to pronounce any judgment.

It was also agreed, that the canons should be drawn up with greater precision; and that they should be preceded by a clear statement of Catholic doctrine on the questions involved in them, as had been done, on the subject of justification, and on other matters, under Paul and Julius. For this purpose, the preparation of the canons of faith, and of the decrees on Reformation, was consigned to Simonetta, Del Blanco, Boncompagno, and the General of the Augustinians; whilst Hosius, Seripando, and the Bishops of Paris, Chioggia, Ostuni, and the General of the Augustinians, were deputed to draw up the explanation of doctrine.

The first draught of that explanation was subjected to numerous and minute changes and objections; some condemning the title, most august, as applied to the Eucharist, that phrase being used of earthly kings; the

Bishop of Cattaro feared lest the wording of the second chapter might create scandal and confusion in Cyprus and Candia, where more than six hundred thousand souls had the custom of communicating under both kinds, though in direct communion with the Roman Pontiff; whilst the French ambassadors presented a memorial, in which, besides supporting the demands of the Imperialists for the use of the chalice, they warned the Fathers against introducing any phrase which might seem to condemn the ancient usage of communicating their kings, under both kinds, on the day of their coronation, and an equally ancient custom of the same kind which prevailed, on certain days, in some of the Cistercian monasteries. Others of the bishops also remarked that there was extant a document, which authorized all those of the Greek Church to communicate under both kinds. And though it was replied, that the words objected to did not condemn the use of communion under both kinds, but merely the assertion, that such communion is necessary and of divine right, it was agreed that a more clear and guarded statement should be prepared; which was accordingly done, as may be seen in the chapter named, the last words of which were added to meet such cases as those cited above. In the first chapter, the words of St. John were without any limitation, originally adduced in confirmation of the use of communion under one kind; but, upon the representation of the Bishop of Viviers, that the Fathers sometimes explain that portion of Scripture of a spiritual, and sometimes of the sacramental, participation of the Body of Christ, the chapter was altered to its present form.

The Bishop of Brescia was desirous that it should be declared, not only that it is not necessary, but forbidden, to communicate children before they have attained to the use of reason; a proposal which was, however, not acceded to, in consideration of the well-authenticated facts of history which show that, in certain places, such communion was, for many ages, permitted, if not enforced. The prepared draught was, on account of these suggestions, re-

modelled by the original deputies, assisted by a few other prelates.

Whilst the Fathers were thus employed, the Archbishop of Lanciano returned, on the 10th of July, from his embassy to Rome. He reported, that the Pontiff had no intention of dissolving the Council ; that, as to introducing the continuation clause, Pius would be contented that the continuation should, for the present, be practically exhibited by the continuity of subjects, and, as soon as advisable, be openly declared ; and lastly, that prudence seemed to require, that the concession of the chalice should be deferred, until the subject had been more carefully and fully considered : directions which, it is plain, involved no change of policy, on the part of his representatives, the Legates.

In the draught of the decrees on Reformation, the following alterations were made. In the first chapter, it was declared simonaical, to receive even voluntary offerings for the collation of orders ; but, as such offerings do not constitute simony, the clause was expunged. The allowance of the tenth part of a crown to notaries was, at the suggestion of the French prelates, limited to those countries in which, by previous usage, those officers had been accustomed to receive payment. In the third chapter, it had been left optional to appoint daily distributions ; and the amount to be raised from benefices, and other sources, was undetermined ; but it was thought more prudent to render it obligatory that such daily distributions should be provided, and that a third part of the above-named revenues should be applied to this purpose, wherever a greater portion was not already set aside for this object.

In the fifth chapter, it was originally proposed that, in establishing the unions there specified, and on other similar occasions, the bishop should act by the advice of his chapter ; but, in consequence of the opposition of the Imperialists, and of many Italian bishops, the obligation was cancelled not only from this decree, but from many others of a like kind.

On the last chapter, which regards the quæstors of alms, many were of opinion, that the abuses, however grave, of that office, did not demand, or justify, its disuse ; but, their opposition to the suppression was removed, upon being informed that the Pontiff had declared his resolution to do away utterly with a system which had caused so many scandals and evils in the Church.

Such were the chief alterations suggested in congregation, in the nine chapters of Reformation given under the twenty-first Session.

Two days before the Session, was held a General Congregation to put the finishing hand to the decrees and canons of faith. Guerrero again objected to the introduction of any citations from the sixth chapter of St. John, on the subject of communion in one kind ; on the ground that the testimony of the Fathers was not clear and uniform as to the meaning of that portion of Scripture. But Seripando replied, that, in the chapter named, it was not intended to decide on the meaning of the words of Christ, but simply to show, that, in whatever way the passage was understood, it furnished no argument against the Catholic practice. Though this explanation was deemed by many satisfactory, a special clause was introduced, in another congregation held on the same day, in which it is noticed that various interpretations are given by the Fathers to the words cited from St. John.

When these objections and changes had been made, and the congregation dissolved, Salmeron and Torres two eminent Theologians, presented themselves before the Legates, to call their attention to some parts of the decrees, which seemed to them to require alteration. But, of the four difficulties raised, one only was thought deserving of serious notice. In the second chapter, the words cited from 1 *Cor. iv. 1*, were quoted as having, without doubt, a specific meaning ; but it was, after some debate and difficulty, resolved to adduce them as *seeming* to have that meaning ; in the form in which the passage is now found quoted in the decree. But the two Theo-

logians were not satisfied ; and, on the eve of the Session, proposed the following alteration in the chapter on doctrine : “ For, though Christ the Lord, in the last supper, instituted, and delivered to the Apostles, this venerable sacrament in the species of bread and of wine ; not therefore do that institution and delivery extend to all the faithful, in such wise as that, by the appointment of Christ, they are bound to receive both species ; but only to those unto whom was said, *Do this for a commemoration of me* ; to those, that is, unto whom He gave power to make and to offer His own Body and Blood.” This proposal was embraced by Hosius, and Madrucci, and by several of the Fathers, but was finally rejected, on the day of Session, by the majority.

Every thing being now arranged, on the 16th of July, was held the twenty-first Session, at which the mass was celebrated by Marco Cornaro, archbishop of Spalatro, and the sermon preached by Andrew Dudiz, bishop of Tiniana. The decrees having been read, were almost unanimously approved of. Hosius, however, unwilling to oppose his colleagues, and still in favour of the change suggested by Salmeron and Torres, instead of the usual *Placet*, answered, “ If the decree please the holy Father, it will also please me ; ” in which he was imitated by the Patriarch of Jerusalem. Three prelates objected to the clause on the diverse interpretations of the sixth chapter of St. John ; and Stella, bishop of Salpi, was dissatisfied with the reason assigned, in the fourth chapter, on the subject of communicating infants ; recommending in its stead, the words of St. Paul, *Let a man prove himself*.

There were present six cardinals, three patriarchs, nineteen archbishops, one hundred and forty-eight bishops, three abbots, and six generals of religious orders.

SESSION XXII.

Reconciliation of two of the Legates.—General state of parties.—Articles on the Sacrifice of the Mass.—Placed before the Theologians.—Deputies chosen to prepare Decrees.—French Ambassador applies for postponement of the Session.—Instruction from Rome to concede the use of the Chalice.—Opinion of the Legates.—Debates of the Theologians.—Their difference on one point.—Debates in Congregation.—Statement of Doctrine to be prefixed to Canons.—Same difference of opinion as amongst the Theologians.—Compromise.—Proposal to give equal authority to the Chapters and Canons of Doctrine.—Debates on the use of the Chalice.—Concession urged by the first Legate.—Conditions proposed.—Protracted debates.—Arguments used.—Votes on the use of the Chalice.—On the decrees of Doctrine and Reformation.—Fresh proposal on the subject of the Chalice.—Withdrawn and another substituted.—The matter is referred to the Pope.—The Session.

The proceedings of the twenty-second Session opened much more favourably than had been anticipated. A reconciliation was effected between the first Legate, and Cardinal Simonetta; between whom an estrangement had for some time existed, originating in their difference of opinion on the question of residence; instructions arrived from Philip, addressed to his ambassador, directing him not to press for the introduction of the continuation clause; whilst a gradual, but almost general, understanding seemed to have been come to amongst the bishops, that the subject of residence should be referred for decision to the Sovereign Pontiff.

With these more cheering prospects before them, the Legates, on the 19th of July, held the first General Con-

gregation, in which it was agreed that the following thirteen articles on the sacrifice of the mass, which had been already prepared and partly discussed under Julius, should be placed before the Theologians.

1. Is the mass a commemoration only of the sacrifice offered on the cross, and not a real sacrifice?

2. Does the sacrifice of the mass derogate from that of the cross?

3. Did Christ, by the words, *Do this in commemoration of me*, ordain, that the apostles should offer up His Body and Blood in the mass?

4. Does the sacrifice of the mass benefit the receiver only; and cannot it be offered for others also, as well for the living as for the dead; for their sins, satisfactions, and other necessities?

5. Are private masses, in which the priest alone communicates, unlawful, and therefore to be abolished?

6. Is it repugnant to the institution of Christ, to mix water with the wine used at mass?

7. Does the canon of the mass contain errors, for which it is to be abrogated?

8. Is the Roman custom of pronouncing secretly, and in a low voice, the words of consecration to be condemned?

9. Is the mass not to be celebrated in any other than the vulgar tongue, that is understood by all?

10. Is it an abuse to appropriate certain masses to certain saints?

11. Are the ceremonies, vestments, and the other external rites, used by the church in the celebration of the mass, to be done away with?

12. Is it the same thing, for Christ to immolate Himself for us, and to give us Himself to eat?

13. Is the mass a sacrifice only of praise and of thanksgiving, or is it also a sacrifice for the living and the dead?

In the congregation of the following day, after establishing several regulations which had for their object the expediting of business amongst the Theologians; deputies were chosen to prepare the decrees of doctrine; and others

to collect and report on such abuses as had crept into the manner of celebrating mass.

At this period, the ambassador of France sent frequent and urgent requests to his court, for the presence of a greater number of French bishops and Theologians. Without their support, he represented that there was no hope of carrying out any of the instructions given him ; and upon a reply being received, that, by the month of September, at least forty bishops and abbots would repair to the Council, he implored the Legates to delay the Session until the arrival of those representatives of his nation and church. The Legates, however, felt obliged to decline acceding to his request, but promised to refer it to the judgment of the Fathers.

Early in August, instructions were received from Rome, directing the Legates to yield to the demands of the Emperor for the use of the chalice ; but they, from a more intimate knowledge of the sentiments of the Council, informed the Pontiff, that it seemed to them imprudent to propose any such concession in public assembly ; and recommended that, instead of such an attempt, which they feared might result in disappointment and failure, a general decree should be passed, declaratory of the advisability of conceding the chalice under certain conditions, and referring the decision of each particular case to the judgment of the Holy See. With this arrangement, both the Pontiff and the emperor declared themselves satisfied.

On the 21st of July, the consulting Theologians began to deliver their opinions on the articles. On that day, on which the debate was opened by Salmeron, there were present, besides the Legates, and the French, Venetian, and Imperial ambassadors, one hundred and fifty-seven prelates, about a hundred Theologians, and a mixed audience of more than two thousand persons. On one point only was there any important difference of opinion amongst the consultors,—a difference which had already existed when the articles were first debated under Julius. Salmeron, on the very first day, opened this question, by

asserting that Christ offered Himself for us as a sacrifice at the last supper; a position which Soto, in his turn, resolutely opposed.

The points agreed on were, on the 6th of August, assigned to the deputies appointed to draw up the canons; and were also distributed amongst the rest of the Fathers, to be considered in private. On the 11th they were laid before a General Congregation, in which two questions were debated. The first, which was of minor importance, and but slightly discussed, regarded the prefixing to the canons an exposition of Catholic doctrine, which the majority resolved should be at once prepared. The second, as has been seen, had already divided and agitated the Theologians; to wit, Did Christ offer Himself for us to the Father as a sacrifice, at the last supper, or solely on the cross. Seripando, who had been the one principally employed in preparing the draught of the decrees, had designedly omitted all allusion to this question, as one which had been hitherto undecided, and which, in his judgment, had better be now avoided. But no sooner had the decrees been laid before the congregation, than the question was mooted; on the ground that Christ could not be declared, in the decree, *a priest according to the order of Melchisedech*, unless it were also declared, on what occasion he fulfilled that type, by using and offering up, the symbols of that priesthood, bread and wine.

Madrucci, supported by the Archbishop of Otranto, Castagna, and very many of the Fathers, at once maintained the affirmative; supporting their opinion by obvious texts of Scripture, and from numerous passages from the writers of the Greek and Latin Church. But the chief defenders of this doctrine were Guasparre da Casale, bishop of Leiria, and Diego Lainez, the general of the Jesuits, the latter of whom had arrived at Trent on the 23rd of July, and first appeared in congregation on the 21st of August. Lainez viewed the question as one of fact, and as such to be decided by testimony; and adduced, accordingly, extracts from more than forty ancient and

modern writers, both Latin and Greek, who assert plainly the sacrificial act of Christ at the last supper. These testimonies he confirmed by a lucid exposition of the various passages of Scripture which bear upon the subject, and replied to the only objection of moment urged against this opinion,—that it derogates from the sacrifice of the cross. He contended that our salvation is not to be ascribed solely to the death of Christ, though that was the final and crowning act; but, to the life and death of Christ considered as a whole, and as embracing not one salutary and satisfactory act only, but countless acts of obedience to the will of His Father, each of which was of infinite value, conducive to human salvation, and for which God, as St. Paul tells us, has exalted Him.

The contrary opinion was supported by the Archbishops of Granada, Braga, and Lanciano, and by four other bishops; their chief ground being, as has been said, that the opinion which they impugned derogated from the sacrifice of the cross. They contended, that Christ offered sacrifice indeed at the last supper, but only a sacrifice of praise and thanksgiving, and not a sacrifice of satisfaction and propitiation; so that He did not, on that occasion, offer Himself in sacrifice for us to the Father.

A third party amongst the Fathers recommended that the decree should indeed declare, that Christ offered Himself to the Father, at that last supper, under the species of bread and wine; but that no mention should be made of the nature of that offering; seeing that the opinions of the prelates did not agree regarding it. This suggestion, as may be seen by the decree in question, in the first chapter on doctrine, was eventually adopted; and this with only two dissentients.

On the other chapters there was an almost perfect unanimity of opinion; and it was even proposed, that an authority similar to that of the canons should be given to the decrees; but, to this, various Fathers were opposed, and the subject was dropped, without being fully discussed.

Blanco, bishop of Orense, objected to defining, as in the

second canon, that Christ instituted the apostles priests, when he used the words, *Do this for a commemoration of me* ; an objection, which we shall see later supported by other prelates, but overruled by the great majority.

- The concession of the chalice was also actively debated ; the Imperialists urging their demand, not only for Bohemia, but for all the patrimonial states of the emperor. The subject was proposed to the Fathers on the 28th of August, and the concession was warmly recommended by the first Legate. The bishops were reminded of similar permissions granted by various Councils and Pontiffs, and of the advantages which might result, in various provinces, by relaxing on this point the discipline of the Church. A paper to the following purport was also placed in the hands of the Fathers : "Ought the use of the chalice to be granted, to the different states of the empire, under the annexed conditions. That whosoever received the communion under both kinds should profess his belief in all Roman doctrine ; his adhesion to all the rites of the Roman church ; and his readiness to receive, and to comply with, all the decrees that had been, or that should be, passed, in the Council of Trent. That pastors and preachers, in the aforesaid countries, should declare their belief, and likewise teach, that the custom of communicating under one kind, as approved of and practised, by the church, was good and laudable, and such as ought to be observed wherever the church had not chosen to grant the requisite dispensation ; that they should profess obedience to the Sovereign Pontiff, as the head of the Church ; and render due obedience to their other prelates ; that communion should only be given to such as had prepared themselves for its reception, by contrition and confession ; and that the Ordinaries should carefully guard against every profane, irreverent, and sacrilegious act, which might otherwise be feared from the use of the chalice." It was also proposed to decide, whether the power of granting this permission should be vested in the Ordinaries, as the delegates of the Apostolic See, with ability

to depute that authority to the parish priests of their respective dioceses. The above demand, it may also be remarked, was subsequently limited to the states of Germany and of Hungary.

On the 27th of August, the day before the scrutiny was to be proceeded with, the bishop of the Five Churches urged upon the Fathers the various obvious reasons of expediency which should lead them to accommodate the discipline of the Church, to the wants and circumstances of the times. The Council of Constance, he remarked, was the first to enforce the prohibition, which, after being in part relaxed by the ensuing Council, was renewed in its former rigour by Pius II. ; whilst Paul III. and Julius III. had granted permission to remove it. To the Greeks, meanwhile, not only had this concession been made, but, in many other particulars, were they permitted to deviate from the rites of the Latin Church.

It was, perhaps, to have been expected, that, on a question of variable discipline, a change in which was so urgently requested by some of the most powerful princes of Christendom, little difficulty or opposition would have arisen ; but the very contrary happened in the congregations. The first and foremost opponent of the concession was the Patriarch of Jerusalem, who reminded the Fathers, that the very same reasons, which induced the Council of Constance to issue the prohibition, were still in full force ; observed that the permissions granted on that point had not produced the anticipated effects ; to which he added a consideration which had the most powerful influence with the Fathers, that there was great and just reason for fearing lest the concession of the chalice might countenance, and spread still further, an heretical opinion, already but too prevalent, that as much is not contained under one species, as under both.

The Archbishop of Granada on the other hand, urged again the arguments adduced by the bishop of the Five Churches ; whilst other prelates recommended various additions to the conditions already proposed ; such as,

that communion under both kinds should only be administered to those who communicated at mass, and thus prevent the necessity of reserving the Eucharist under the form of wine; that the use of the chalice should be limited to certain appointed days, on which others were not to present themselves to communicate under one kind, that so a diversity of rite might be avoided; whilst to others it seemed advisable, that the whole matter should be referred for decision to the Sovereign Pontiff. A powerful impression was also produced on the minds of the Fathers, by the opinions expressed by a German bishop, Leonard Haller, bishop of Philadelphia, and suffragan of the Bishop of Eistat, who declared that there might be danger in refusing, but that there was much more danger in conceding, the request made; in support of which position he adduced so many cogent reasons, that his vote carried with it the concurrence of very many of the Fathers. Neither was he the only German prelate who resisted the demand. The Bishop of Chonad, and, as was believed, the Bishop of Lavenmuntz, were also against the concession; in addition to whom, many of the proctors sent from Germany, though they had not a vote in the assembly, privately made it known that they were directly opposed to any change of discipline in this regard.

The debates on this subject, which had begun on the 28th of August, continued until the 6th of September. The principal objections to the grant may be reduced to the following: the danger that attends any change in an important and general article of discipline; the fact, that the conditions imposed by the Council of Basil and by Paul III. had not been observed, and the consequent futility of their dispensations; the inconvenience of a diversity of rite in the same church; the existence of the same causes which moved the Council of Constance to prohibit the use of the chalice, and especially the danger of spilling the elements; the difficulty of reserving it, and of bearing it to the sick resident in the country; the dearth of wine in many places; the persuasion that the demand arose from

an heretical notion on the question of the Eucharist ; the likelihood that a similar request would be made in other countries ; and the consciousness that this was but the first of a series of innovations contemplated in the discipline of the Church.

Upon taking the votes they were found to be to the following effect : fourteen prelates advised that the matter should be deferred ; thirty-eight were for refusing, twenty-nine for granting, the request ; twenty-four for referring the matter to the Pope ; nineteen wished to limit the grant to Bohemia and Hungary ; and thirty-one approved of the concession, provided that the Pontiff alone had the execution of the decree.

During these debates, the deputies had prepared the draught of the decrees and canons on doctrine, which they laid before the General Congregation held on the 7th of September. The Archbishop of Granada, who had been one of the deputies, objected to the assertion contained in the second canon, that, at the last supper, Christ ordained the apostles priests, by the words, *Do this for a commemoration of me*. He cited various authors as maintaining that the priesthood was conferred on the day of Pentecost ; but the reply of Guerrero speedily did away with the objections urged ; and the declaration, as contained in the decree, was, on the same day, approved of by nearly every prelate present.

The Bishop of Segovia, supported by twenty-five prelates, objected to the words, "and other necessities," found in the third canon ; fearing lest such a declaration might give rise to acts of superstition ; but the majority were of opinion that the words should be retained. The deputies now also presented their draught of the decrees on Reformation. Those decrees were originally fourteen in number, but, two of them regulating the pensions to be imposed on bishops and parish priests, were at once eliminated ; and a third decree, which limited the jurisdiction of bishops in the hearing of certain causes, which involved beyond a certain amount of money, was also struck out ; so that

the decrees were thus reduced to the eleven now found under the twenty-second Session. The decrees in question were adopted without any modifications of such importance as to require notice here.

The decree on what is to be avoided, and what observed, in the celebration of mass, was originally divided into eight chapters, which descended into many minute particulars and regulations ; but it was thought more expedient to leave such points to be decided by the Ordinaries according to their judgment, and the circumstances and wants of their churches. It was, therefore, resolved to treat the subject in general terms, under the three heads of abuses arising from covetousness, irreverence and superstition. The only suggestion which needs recording was the proposal made to prohibit all kinds of music in churches ; but the majority of the prelates, especially of the Spanish church, decided that music was to be permitted, under the conditions specified in the decree ; as such had been the ancient custom of the church, and as it was conducive to piety.

Though every thing was now ready for the ensuing Session, Lanssac was urgent for a prorogation until the arrival of the French bishops ; but this delay was resolutely refused by the Presidents, unless it should meet with the approbation of the Fathers, which, it was soon apparent, could not be obtained. The bishop of the Five Churches strove, at the last hour, to secure the best terms left him, since the votes of the Fathers, on the grant of the chalice. He persuaded the Legates to remodel the decree which had been prepared ; and they promised to propose that the matter should be left to the Pontiff, with a recommendation, however, from the Council, that the concession should be made in a liberal spirit. This they accordingly did in nearly the following terms : "That whereas it was clear, that the subject could not, at present, be determined by the Council, it was referred to the judgment of the Pontiff ; that, after such inquiries as might seem to him expedient, he might, if such seemed his pleasure, grant the use of the chalice, either under the conditions already

specified, or under such others as his wisdom and prudence might dictate ; such concession being wished for, advised, and approved of by the Council."

This proposal was made in General Congregation, on the 15th of September ; but it met with so much opposition, that the bishop of the Five Churches urgently requested the Cardinal of Mantua to draw up a more simple reference to the Pontiff ; which he accordingly did in the terms in which the decree is now found towards the close of the twenty-second Session. On the 17th of September, the amended form received the approbation of the majority of the prelates ; thirty-eight voting against, and ninety-eight in favour of this method of dismissing the question.

On the same day, Guerrero renewed his opposition to the second canon ; but, after the subject had been again fully debated, it was found that, with the exception of about thirty prelates, the rest of the Fathers were unanimous in its favour. On the following day, the 18th of September, 1562, was held the twenty-second Session, at which the mass was celebrated by Pietrantonio di Capoua, archbishop of Otranto, and the sermon preached by Carlo Visconti, bishop of Ventimiglia. The decrees were almost unanimously approved of, except the clauses which had so long been debated in congregation. Against the second canon, however, Guerrero and Dwinio were the only objectors ; but, against the declaration, that Christ offered Himself in sacrifice to the Father, at the last supper, the two prelates named above were supported by the votes of four other bishops. Aiala renewed his protest against the words, "and other necessities," used in the third canon ; and also objected to the declaration, that the sacrifice of the mass perfected and fulfilled all the sacrifices used under the state of nature and of the law.

The decree relative to the manner of celebrating mass was passed with but one dissentient voice ; and the chapters on Reformation were agreed to, after some slight remarks from five of the prelates. The decree on the

concession of the chalice was opposed by about forty prelates; all of whom, however, did not object to the concession, or to the reference to the Pontiff, but to that reference being made in public Session. The last decree, appointing the 19th of November, for the ensuing Session, was agreed to without opposition.

There were present, the five Legates, Cardinal Madrucci, three patriarchs, twenty archbishops, one hundred and forty-two bishops, one abbot, and seven generals of orders.

SESSION XXIII.

Demands of the French Ambassadors.—Reformation referred to deputies.—Articles on Order placed before the Theologians.—Divided into classes.—Debates.—Salmeron and Soto.—Complaints of an omission in the seventh article.—Anxieties of the Legates.—They write to Rome on the subject of Residence.—French prelates expected.—Deputies appointed to prepare the Decrees and Canons.—Debates in General Congregation.—Changes recommended.—Lainez.—Fresh draught of Decrees.—Meets with opposition, on the institution of Episcopacy.—New form prepared.—Opposed by the Spaniards.—Another proposed.—Which is also opposed.—The canon as proposed under Julius.—Decree on Residence.—Business suspended until the arrival of the French prelates.—Session prorogued.—Arrival of the French.—The Cardinal of Lorraine visits the Legates.—Demands of the French.—Congregations resumed.—Speech of Lorraine.—Session prorogued.—Votes on the Decrees and Canons.—Changes suggested.—Fresh form of the Seventh Canon.—Referred to nine deputies.—Their judgment.—Referred to the Pope.—Debates on Residence.—Further prorogation of the Session.—Visconti despatched to Rome.—Session prorogued.—Forms for the Seventh Canon received from Rome.—Objected to.—Additional Canon recommended.—Instructions from Rome

touching Decree on Residence.—Deputies appointed to consider Residence.—Session prorogued.—Articles on Matrimony placed before the Theologians.—Death of the first Legate.—Intrigues in favour of Lorraine.—Morone and Navagero appointed Legates.—Death of Seripando.—Arrival of Morone as first Legate.—He appears in Congregation.—Departs to meet the Emperor at Inspruch.—Session prorogued.—Arrival of Navagero.—Decrees of Reformation proposed in Congregation.—Debates.—And on right of voting by proxy.—Return of Morone.—Session prorogued.—Hopes of adjusting the differences—Proposed to dissolve the Council.—Session prorogued.—Instructions from Rome—Wish of Pius in regard of Bishops under Elizabeth.—The seventh Canon adjusted.—Special meeting of Prelates on the subject of Residence.—Form agreed to.—Debates in Congregation on the Canons and Decrees of Doctrine and Reformation.—Rumour of a Protest.—Session.—Dissentients to the Decrees.—Prelates present.

We have now to record the memorable events which preceded the twenty-third Session : the violent debates on the origin of the institution, and of the law requiring the residence, of bishops ; the death of two of the Legates ; the eight prorogations of the day of Session ; and the almost unceasing difficulties, which, during ten months, impeded and agitated the Council.

Immediately after the Session, the French ambassador renewed his application to the Legates for the postponement of all questions of doctrine, until the arrival of the French prelates ; recommending that, meanwhile, the Fathers should be solely employed on the subject of Reformation. In this demand he was supported by the Imperialists ; but the Legates who saw clearly, that their object was only to gain time, for their respective sovereigns to deal, with greater chance of success, with their contumacious subjects, declined to depart from the fixed rule of considering doctrine and reformation conjointly. However, the book of reformation presented by the emperor,

and the articles proposed at the conference of Poissy were secretly submitted to Simonetta, Castagna, Boncompagno, Paleotto, and Castelli, to be examined, and such proposals of reformation extracted from them, as might seem likely to meet with the consent of the Fathers, and to be of general service to the Church.

On the 18th of September, the Legates placed before the Theologians the following seven articles, extracted from the writings of heretics, on the sacrament of Order :

1. That Order is not a sacrament, but only a certain rite for electing and appointing the ministers of the word, and of the sacraments.

2. That so far from being a sacrament, Order is but a human figment invented by men who knew nothing of ecclesiastical matters.

3. That Order is not one sacrament only ; and that the lower and subsequent Orders do not tend as steps to the priesthood.

4. There is not any ecclesiastical hierarchy ; but all Christians alike are priests ; and for the exercise of the ministry, a call from the magistrate and the consent of the people are necessary ; and he who has once been made a priest can again become a layman.

5. In the New Testament there is no visible and external priesthood ; nor any spiritual power, either to consecrate, or to offer the Body and Blood of the Lord, or to absolve from sins ; but only the office and ministry of preaching the gospel ; and those who do not preach, are not priests.

6. That, in the collation of Order, the unction, and the ceremonies employed are not only unnecessary, but pernicious and contemptible ; and that, in ordination, the Holy Ghost is not given, and therefore it is useless for bishops, when they confer Orders, to say, *Receive ye the Holy Ghost*.

7. Bishops are not superior to priests ; they have not power to ordain ; or, if they have, it is a power common also to priests ; and ordinations conferred by them, without the consent of the people, are null.

In order to save time, the Theologians were divided into six classes; to three of which the above articles were assigned, to be examined and discussed; whilst the remaining classes were appointed to deliberate on the sacrament of matrimony. Their first meeting was held on the 23rd of September, at which more than a hundred and sixty prelates, and eighty-four Theologians were present, besides the Legates, and the Imperial, French, Portuguese, Venetian and Swiss ambassadors. The three first articles were discussed on this and the following day; when the usual arguments in favour of the sacramental character of the priesthood were adduced by Salmeron, Ferdinando di Vellosillo, and Diego Payva. Only one position, which was taken by Salmeron, was disputed. He contended that the election of individuals for ordination never belonged to the people, and that, if they ever exercised that privilege, it was merely by Apostolic grant; citing, in confirmation of this assertion, *Acts* vi. 3, and similar passages.

The two next articles were then discussed; and Soto, when refuting the fourth proposition, took occasion to assert, in opposition to Salmeron, that the right of electing, and not merely of bearing testimony to, those to be ordained, belonged to, and had been exercised by, the people; quoting various passages of Scripture in favour of his views, and also the letters of St. Cyprian. That right, however, he remarked, though of Apostolic origin, appertaining as it did to a point of government, could be altered, and the Sovereign Pontiffs, therefore, could regulate it, according as times and circumstances seemed to require; now prohibiting its exercise, and now conceding it to chapters, princes, and others.

The two last articles were examined by the third class of Theologians, and particularly by Melchior Cornelio, a Portuguese. On the seventh article, he laboured especially to prove that the celebrated declaration of St. Jerom is to be understood solely of an equality of external jurisdiction, which is but a matter of ecclesiastical regulation. He also

endeavoured to reply to Soto's objections to Salmeron on the right of popular election, and cited the same fourth epistle of St. Cyprian in confirmation of his views.

These discussions continued till the 4th of October; the consideration of the sacrament of matrimony being deferred for the present. The Legates now entertained hopes, that the business of the Session would proceed rapidly, and without any serious interruption or difficulty, but they had soon to encounter hindrances, such as not only they had not anticipated, but such as heretofore had never been experienced. The origin of one of those hindrances was this.

The seventh article had been changed from the form in which it had been prepared, in an earlier Session, under the Legate Crescenzo. It had, at that time, been proposed to condemn the assertion, that bishops are not superior to priests *by the law of God*. These last words, it will have been seen, were now suppressed; not only for fear of renewing the former disputes about the origin of residence, but also to avoid originating other questions closely connected with that subject. This omission, however, and the motives for it, had not escaped the notice of the Spanish prelates; who, supported by the French ambassador, remonstrated with the Legates on the suppression. They replied, that they intended to abide by their promise to debate the origin of residence, in the present Session; but that they wished to avoid incumbering that question with merely speculative points, which had not been mooted by any of the modern heretics: that if, however, it could be shown that the doctrine involved in the omitted words had really been impugned by any of those heretics, they would not refuse to consider the subject. In reply to this challenge, the Archbishops of Granada, Braga, and Messina, and the Bishop of Segovia produced before Seripando various passages from heretical works, which they considered as touching the point in question; but that Legate showed them, that the words adduced did not deny the divine institution of the episcopacy, but only

asserted, that the bishops of the present day were not the bishops of the Scriptures ; because, as was imagined, they did not exercise the same ministry, as is therein assigned to those called bishops.

Upon the first appearance of these signs of renewed violence on the subject of residence, the Legates despatched a letter to the Pontiff, laying before him three methods of meeting that question. That they should propose to have the matter referred to the Apostolic See ; or that, without defining the debated point, such penalties and rewards should be decreed as would effectually secure residence ; or, finally, that a number of the bishops should, of themselves, propose that the question should be referred to his Holiness. Pius replied, that he did not object to any of the plans suggested, though he preferred the second ; but would leave the whole to the judgment of his representatives.

Another source of anxiety was the expected arrival of the French prelates, with the Cardinal of Lorraine at their head. Seripando, upon whom the office of first Legate now devolved, in consequence of the illness of the Cardinal of Mantua, was informed that various innovations were to be attempted on the arrival of those prelates ; not only in the manner of taking the votes, and in other established regulations of the Council ; but also, that questions of great magnitude and difficulty, such as the superiority of the Pope or of the Council, the method of electing the Pontiff, the limitation of the number of cardinals, and other such subjects were to be introduced for discussion. Upon writing, however, to Rome, for information and instructions, his fears were somewhat calmed by the assurances which he received, that report had exaggerated the danger.

To return to the decrees of doctrine on the sacrament of Order. The Theologians having delivered their opinions, the Archbishops of Reggio and of Zara, and the Bishops of Leon, Viviers, Coimbra, and Chonad, and the Generals of the Servites and of the Jesuits, were deputed

to draw up the canons and decrees in accordance with the sentiments expressed by the Consultors; with directions to have their draught ready by the 8th of October. Before, however, it was presented in General Congregation, it was communicated, according to custom, to the various ambassadors. The seventh canon, which condemned the assertion, that orders are invalid when conferred without the election or consent of the people, was objected to by the French envoys, as opposed to the usage of their church. Their objections were referred to a congregation of Theologians, who explained that they merely intended to define, that ordination is valid independently of that consent or election. However, for greater explicitness, the word *orders* was substituted for *ordination*.

When the draught was publicly presented on the 9th of October, the objections and recommendations were far more numerous than they had ever been on any other of the doctrines previously defined. The following seem to be the changes and remarks most deserving of notice.

The Patriarch of Venice objected to a clause which asserted that the inferior orders receive their completion in the priesthood; affirming, that the episcopacy is a distinct order, and that therefore the priesthood could not be said to be the completion of Order.

Guerrero drew attention to the omission in the seventh canon, which, as he asserted, had been prepared under Julius, declaring bishops to be of divine institution, and superior to priests by the law of God; a doctrine, he remarked, which he had endeavoured to show the Legates was denied by Calvin and other innovators. Bishops, as successors of the Apostles, he went on to say, derived their institution, not from Peter, but from Christ; inasmuch as the Apostles received their institution from Christ, and not from the prince of the Apostles. Hosius replied, that the Confession of Augsburg acknowledged this pre-eminence in bishops, and merely denied that the unction, prayers, and other rites used in the consecration of bishops, were of divine appointment. Guerrero was supported by

the Archbishops of Zara, and of Braga, and by the Bishop of Segovia, who contended that the Council had not met to condemn merely the errors of the Augsburg Confession, but of all the modern heretics; some of whom were acknowledged to deny the superiority of bishops over priests, and even to assert that bishops had, by divine institution, only power to preach the gospel, but not to confer orders, or confirmation.

The Bishop of Segovia objected to the declaration that the sacrament of Order confers that species of grace whereby we become the friends of God. He also urged the necessity of defining that episcopacy is a distinct order; a demand in which he was supported by others amongst the Fathers. This, however, was objected to by the Bishops of Vercelli, and of Nicastro, as being a point which had been purposely omitted by the consulting Theologians, and had hitherto been an open question in the schools.

The Bishops of Leon, Ostuni and Viviers contended, that, as regards order, but not as regards jurisdiction, the episcopacy is of divine institution; whilst the Bishop of Aliffe, holding an opinion between the two extremes, asserted that both the office and the jurisdiction of bishops were from Christ, but that it belonged to the Sovereign Pontiff to assign the precise place and manner, in which that office and jurisdiction were to be exercised.

One hundred and eighty-one of the Fathers delivered their sentiments in a manner more or less favourable to one or other of the above opinions; and of these, fifty-three supported the demand of the Archbishop of Granada for the re-insertion of the omitted clause, whilst the rest thought that the point had better be altogether avoided. But the vote and reasoning of Lainez appear to have produced the greatest impression on the congregation, one entire sitting of which was occupied in hearing him. He began by defining a thing, or power, to be of divine right, which is established immediately of God; and remarked that law, considered in the abstract, is from God, but not there-

fore is every individual law immediately from Him; that it is neither required, nor is it always enough, for a precept to be of divine institution, that it is recorded in the sacred Scripture; not required, as is obvious from the matter and form of some of the sacraments; not enough, as is proved from the prohibition to eat blood and things strangled, recorded in the fifteenth chapter of the Acts; a law which has also the peculiarity of being expressly declared to proceed from the Holy Ghost. Again, St. Paul commands bishops to be men of one wife; women to wear veils in the church; and gives other similar orders, which are recorded indeed in Scripture, but which were not therefore, strictly speaking, of divine right. The Scripture, in fact, in almost countless places, describes events and acts as from God, which nevertheless were only mediately the result of His operations; whilst, on the other hand, certain things are therein ascribed to men, or to second causes, which are in reality immediately the work of God. Thus, we read of the baptism of John, of the law of Moses, though these and similar things, were by the direct institution of God. He next proceeded to observe, that as regards ecclesiastical power, it is of two kinds; one, that of order which operates by means of the sacraments which God has instituted; and this is an immutable power, deriving both its institution and its effects from the Almighty, but a power which may, nevertheless, be illicitly, though validly, exercised: the second is the power of jurisdiction, operating by excommunication and laws; and this is not inherent in order; may be exercised even by laymen; is variable; and is revocable at the pleasure of a lawful authority.

The episcopal order, he continued, is immediately from God in every individual raised to that rank; but not so jurisdiction; that is immediately from God only in those to whom God has directly communicated it, as to Peter and his successors, and was possessed by the rest of the Apostles only by special privilege and commission; whereas by all other bishops it is enjoyed only mediately from God,

and immediately from Peter's successor, the Pope. In the Pope jurisdiction is unchangeable, as it was in Peter, and in the apostles ; in bishops, changeable, by the Pope, though not at his mere pleasure, but for a just cause.

He next proceeded to adduce his replies to the objections against, and his proofs in favour of, the opinion which he supported ; which presented, however, no peculiar novelty, and may therefore be omitted.

In consequence, then, of these disputes on the seventh canon, and the numerous alterations suggested in the other decrees, Naclantus, Marino, Foscarario, and Castagna were added, in the congregation held on the 20th of October, to the previous deputies, to prepare a fresh draught of doctrine. After labouring for eight days, especially at the seventh canon, they presented the result to the Legates ; who at once communicated the amended form to the Spanish bishops, for their consideration and approval. Bishops were therein declared to be, as regards their order, instituted by Christ, but as all mention was omitted of the origin of their jurisdiction, the Spaniards refused to adopt the canon. They were willing, they said, to have it declared, that bishops are, by the law of God, subject to the Pope, and bound canonically to obey him ; but they, at the same time, insisted, that all the privileges conferred on the episcopacy, as the highest order of the hierarchy, should be openly stated, and be proclaimed to be theirs of divine right.

The Legates, whilst deliberating how to act, were visited by the three patriarchs, accompanied by more than forty prelates, to persuade them not to make any further alteration in the seventh canon, as they had been led to understand was contemplated. But the Legates were desirous, not only to avoid, if possible, all violent opposition, but also to obtain uniformity, on a question of such importance. They, therefore, resolved to avail themselves of a form of the canon proposed by the Archbishops of Lanciano and of Modena, which, after they should have expressed in words the explanations given by those prelates of its

meaning, seemed likely to obtain the concurrence of the Fathers. Paleotto, who was employed to draw up the proposed canon, gave it in the following words : "If any one shall say, that the power of bishops to ordain, confirm, and teach is not of divine right ; or, that the power of jurisdiction possessed by bishops was not conferred upon them by Christ in the Roman Pontiff, His Vicar, which jurisdiction is from him derived unto them when they are assumed unto a part of his solicitude ; or, that bishops are not superior to priests ; let him be anathema." Castagna and Lainez succeeded in inducing the Italian prelates to accede to this form ; but Soto was less successful with the Spaniards. Guerrero objecting to the declaration, that "bishops are assumed by the Pontiff unto a part of his solicitude ;" a proposition which he declared to be, at least doubtful. Seripando, who had been prevented by illness from being present at the late deliberations, also objected to the proposed form, that it was ambiguous ; whereas the Pontiff had expressly requested, that, in any decision come to on this point, all ambiguity should be carefully avoided. Another draught, therefore, of the seventh canon was prepared, as follows : "If any one shall say, that it was not instituted by Christ, that, in the Catholic Church, there should be bishops, and that they, when assumed unto part of the solicitude of the Roman Pontiff, His vicar on earth, are not true and legitimate bishops, superior to priests ; and that the said bishops possess not that same dignity and that same power which they have obtained even to the present time ; let him be anathema."

To this form also Guerrero objected ; declaring that bishops are not called unto a part of the solicitude of the Roman Pontiff, but that they are vicars of Christ, and not of the Pope. In the following congregation he was replied to by the archbishops of Lanciano and of Taranto : but the supposed fact that the decree had been prepared and agreed to, under Julius, in a form more favourable to the opinions of Guerrero, gradually increased the number of his adherents. But, at length, Massarelli, bishop

of Telesia, who had also acted as Secretary under Julius, upon examining his papers, discovered that the canon in question, so far from having been prepared for publication in Session, had not even been examined in Congregation.⁽¹⁾ This discovery at once removed one of the main arguments adduced by those in favour of the divine institution of bishops.

Whilst the minds of the Fathers were thus busily employed on the seventh canon, the first Legate, in fulfilment of his promise, proposed a decree on residence; which sought, in conformity with the advice of the Holy See, to avoid deciding on the origin of that duty, but to secure the discharge of it by rewards and punishments. The decree was received with general satisfaction, but all debate on its clauses was, for the present, postponed.

In the congregation of the 9th of November, it was agreed, at the renewed request of the French ambassador, that the Session, and also that the meetings of the congregations, should be prorogued, until the arrival of the Cardinal of Lorraine, and of the French prelates, who were now daily expected. The day of Session was fixed for the 26th of November.

On the 13th, the Cardinal of Lorraine, accompanied by fourteen French prelates, made his solemn entry into Trent; and, on the following day, presented the royal letters to the presidents of the Council. After these formalities, he entered into familiar conversation with the Legates, expressing his repugnance to any diminution whatever of the authority and jurisdiction of the Sovereign Pontiff; and stating the eager desire felt in France for

(1) As this canon was the occasion of so much debate, and was so often appealed to, it may be useful to give it. "The holy Synod furthermore teaches, that those persons are not to be heard who assert, that bishops are not instituted by divine right; whereas it is most manifestly plain from the Evangelic writings, that Christ our Lord Himself called the Apostles, and promoted them to the rank of the Apostleship; in whose place bishops are set; nor is it to be thought, that this so eminent and necessary a grade has been introduced into the church by human institution; for this would be to detract from, and to lower, the providence of God, as wanting in things the most noble."

a thorough reformation of all abuses, of whatsoever kind, or wheresoever they existed. As regards the proposals which he himself meant to make, he was willing to submit them beforehand to the presidents, or to the Sovereign Pontiff, feeling sure that they could not but meet with approval and support. As to his particular instructions, he was directed to obtain, if possible, the following results: a reformation of the Roman tribunals; the use of the chalice throughout France; the administration of the sacraments in the vernacular tongue; the use of the same language in the public prayers, and in the psalms sung at Vespers, in all collegiate, parochial, and Regular churches; the marriage of priests; the legalization of the seizures and sales made of ecclesiastical property; and such other concessions as could be made to the Hugonots, without violating the law of God.

On the 16th of November, the congregations were resumed; but on account of the great number of prelates lately arrived, the two first meetings were employed in arranging the order of precedence, and the exact place of each prelate. On the 23rd of November, the Cardinal of Lorraine appeared for the first time in General Congregation; and the royal letters having been read, and replied to, the Cardinal addressed the assembly on the state of religion in France. He described the sufferings of the Catholics in many parts of that country; the priests slain at the altar; the holy Eucharist trampled under foot; the sacred vestments and images burnt; the libraries and archives pillaged and destroyed; the altars broken; relics cast into the rivers; and the dead bodies of bishops, kings, and emperors disinterred and flung into the waves; whilst a civil war was devastating the whole land. He recommended a wise and perfect reformation of discipline; and concluded by professing his submission to the Legates; his veneration for the Sovereign Pontiff, and for the holy Council there assembled. After a few words from the first Legate, the address of the French Cardinal was fully replied to by the Archbishop of Zara, who had been pre-

viously selected for that purpose. The ambassador Ferrier was also permitted to address the meeting, on the reformation of discipline so earnestly demanded, and ably explained, by the Cardinal of Lorraine.

These delays, and the length at which the Fathers continued to deliver their opinions on the canons and decrees, rendered it impossible to celebrate the Session on the 26th of November, as had been fixed; it was, therefore, found necessary again to prorogue it. The proposal was made, on the 25th, by Cardinal Seripando, who, after remarking on the prolixity of the debates, advised that the day of Session should be delayed during the good will of the Council, as it seemed unlikely that any early day would give sufficient time for the anticipated discussions. All agreed in the necessity of the prorogation; but, as the majority were desirous that some certain day should be specified, it was finally agreed, that, within eight days, the term of the prorogation should be arranged; and, accordingly, on the 2nd of December, the 17th of that month was fixed upon for the day of Session. It was also arranged that the congregations should be held twice a day, that the remaining business might be completed by the appointed Session.

In the congregation of the 1st and 2nd of December, a very violent altercation arose, occasioned by an assertion made by the Bishops of Gaudix and of Aliffe, that, for the character of a true and orthodox bishop, it is not necessary that he be called, or assumed, by the Sovereign Pontiff; a question which was with difficulty set at rest by Cardinal Hosius, who remarked, that the point in dispute on the seventh canon was not whether those not assumed by the Pontiff might be true and legitimate bishops, but whether those who were assumed by the Pontiff could be denied to bear that character, a truth which the heretics denied.

On the 4th of December, the Cardinal of Lorraine delivered his opinions on the canons and decrees. He objected against the assertion contained in the first chapter on doctrine, that, in every law, the priesthood and

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sacrifice had been found united, this not seeming to him true of the law of nature : the word *servator* also seemed to him less suitable than *salvator*, the former not having been used by the ancient Fathers. It also seemed to him that the matter and form of the sacrament, as named in the third chapter, had better be omitted, as the matter of Order cannot easily be determined, but desired that the imposition of hands, so frequently mentioned in the Old and New Testament, in the consecration of priests, should be introduced in that chapter. In all which minute particulars, his suggestions were followed ; but, in order not to define, that the imposition of hands is essential to the collation of the sacrament, the general terms, *words and signs*, were used in the decree. On the disputes regarding the seventh canon, he remarked, that he was opposed to defining the institution of episcopacy to be of divine right, though there could be no doubt that the episcopal order was immediately from God, as also, in his opinion, was episcopal jurisdiction, in so far as it is exercised in regard of things supernatural ; that, in days like these, when the authority of the Pontiff was aimed at by every sect, it behoved them to beware of any act, or word, which might seem to assail, or lower, that supreme dignity ; and concluded by proposing the following amended form for the seventh canon. "If any one shall say, that bishops are not instituted by Christ in the Church, or that they are not, by holy ordination, superior to priests ; let him be anathema."^(y)

In a few days, the rest of the Fathers had also given

(y) This form was proposed by him, after consulting with the Presidents. On another occasion he also prepared the following : "If any one shall say, that bishops are not instituted by Christ in the Church ; or, that they are not, by their ordination, greater than priests ; or, that they have not power to ordain, or that, if they have that power, they have it in common with priests ; or, that the orders conferred by them, without the consent and vocation of the people, are null ; let him be anathema." "If any one shall say, that Peter was not, by the institution of Christ, the first amongst the apostles, and Christ's supreme vicar ; and that there is no need that there be in the Church a supreme Pontiff, the successor of Peter, and his equal in authority of government ; and that, in the Roman See, Peter's legitimate successors unto this time, have not had a right of primacy ; let him be anathema."

their opinions ; and it now seemed to many of them, that the question had reduced itself to a mere dispute about words ; it being the opinion of one party, that the jurisdiction of bishops is derived immediately from the Pope, and of the other, that it is from God, but that the actual use and matter of that jurisdiction depend upon the Pope. Others, however, saw clearly, that there would result, from the second opinion, a practical limitation of Pontifical power, if the doctrine held by the most eminent canonists was to be followed,—that the use and matter of jurisdiction, when once granted and fixed, cannot be withdrawn or limited, without a just and sufficient cause. This occasioned the form proposed by the Cardinal of Lorraine to be regarded with suspicion by Simonetta, though it was highly approved of by Hosius and Seripando. By the advice of Simonetta it was, therefore, referred for examination to nine deputies composed of Theologians and canonists.^(*) With the exception of Lainez, the decree was approved of by the Theologians ; but was repudiated by all the canonists.

The Legates, however, despatched the proposed draughts of the canons, and the objections against them, to Rome ; with a request, that the opinion of the Pontiff might be communicated to them a few days before the Session.

In the meantime, the decree on residence, which had, as has been already named, been proposed on the 6th of November, was, with some slight modification of the penalties against non-residence, and some extension of the term allowed for absence, proposed in congregation on the 10th of December. It will not be necessary, to give even an abstract of the lengthened debates which were again renewed on the origin of the law of residence, as the arguments, for and against its divine origin, have been already sufficiently noticed in the preceding pages. From

(*) The Theologians were Pietrantonio di Capua, Frà Leonardo Marino, Frà Guasparre del Fosso, and the Archbishops of Otranto, Lanciano, and Reggio ; the canonists, Boncompagno, Facchenetti, Paleotto, Lancellotto, to whom Castelli was afterwards added.

the nature of that discussion, and the undetermined state of the questions on the institution of bishops, it was now evident that a further prorogation of the day of Session was unavoidable. On the 16th of December, therefore, Seripando remarked, to the prelates in congregation, that it would be useless to adduce proof of the impossibility of holding the Session, as had been appointed, on the following day; it was, however, for the Fathers to decide, whether the day of Session should be left undetermined, or they would now resolve to specify it, in congregation, within fifteen days. The latter proposal was at once unanimously adopted.

On the 26th of December, the Legates despatched Visconti to Rome, to represent to the Pontiff the state of the business of the Council; to ascertain whether it was his wish, that the debated questions on the residence, and the institution, of bishops, should, at all hazards, be set aside, or be at once decided according to the votes of the majority; and furthermore to obtain his instructions as to the manner in which he could wish them to proceed, if any proposal were made injurious to the rights and authority of the Holy See.

The fifteen days being now nearly elapsed, and many of the Fathers having yet to deliver their opinions, the Session was, now for the fifth time, prorogued; fifteen more days being allowed before fixing upon any determinate day for the Session.

In a letter from Cardinal Borromeo, dated January the ninth, 1563, the three following forms of the seventh canon were sent from Rome. 1. "If any one shall say, that the bishops, assumed by the Roman Pontiff into part of his solicitude are not placed by the Holy Ghost to rule the Church of God in that part whereunto they are assumed; or, that, by holy ordination, they are not greater than priests;" (with the rest as in the form prepared by the Cardinal of Lorraine, to wit,) "or, that they have not power to ordain, or if they have it, that they have it in common with priests; or that the orders conferred by them,

without the consent and vocation of the people, are null ; let him be anathema." 2. " If any one shall say, that the episcopal order, or grade, was not instituted by Jesus Christ in the Church ; or, that bishops by holy ordination are not greater than priests, &c." 3. " If any one shall say, that bishops are not in any way instituted by Christ in the Church ; or that by holy ordination they are not greater than priests, &c."

The first of these forms was recommended in preference to the second, and the second before the third. An eighth canon was also to be proposed of the following tenour ; " If any one shall say, that blessed Peter was not, by the institution of Christ, the first amongst the apostles, or was not His vicar on earth ; or, that there is no need that there be in the church a Pontiff, the successor of Peter, and his equal in authority of government ; and that in the Roman See his legitimate successors even unto this day have not had the right of principality in the Church ; and that they have not been the Fathers, Pastors, and Doctors of all Christians ; and that there was not given unto him by our Lord Jesus Christ, in blessed Peter, full power to feed, rule, and govern the universal Church ; let him be anathema." On the subject of residence, the Legates were directed to appoint such provisions as would effectually secure and enforce residence for the future ; but to abstain from defining it to be of divine right, in opposition to the opinions of so many of the prelates.

These forms and instructions met with but little favour with the Legates, and others at Trent. Various alterations were suggested and forwarded to Rome for consideration. They also informed the Pontiff, that, on the last of the fifteen days, it had been unanimously agreed, that the Session should be held on the 4th of February, 1563 ; and that, on the same day, the Cardinal of Lorraine, and Cardinal Madrucci had been deputed to make the necessary alterations in the decree on residence, employing such prelates to assist them as they might think proper to select.

The Cardinal of Lorraine was also commissioned to

persuade the French prelates to accept the canons received from Rome; but in this he met with but little success. For they objected, that the proposed form asserted the dependence of bishops on the Pope; whereas, they represented, it was certain that they do not depend on him as regards order, and it was doubtful whether they depended on him as regards jurisdiction. Then, as to the newly proposed eighth canon; the words, "to rule the universal Church," seemed to prejudice the opinion that a general Council is superior to the Pope; and they also saw difficulties in the declaration, that the Pontiff is "equal to Peter in authority of government," the word "authority" seeming to them objectionable, as Peter had authority to dictate inspired and canonical writings; a power which it had never been pretended was possessed by the Pope. These objections were referred to Castagna, Boncompagno, Fachenetti, Paleotto, and Castelli, to be considered, and, if possible, obviated.

The congregations, which had been suspended from the 18th of January, the day on which the two cardinals had been commissioned to adjust the decree on residence, were resumed on the last day of that month, on which the Bishop of Augsburg appeared as ambassador from the Duke of Savoy.

In the midst of these difficulties, the 3rd of February, the eve of the appointed day of Session, having arrived, the first Legate proposed, that the Session should be deferred until the 22nd of April; and that, in the mean time, besides the settlement of the two debated questions, the Fathers should occupy themselves with the abuses that had crept into the sacrament of Order; that the Theologians should be employed in considering the sacrament of Matrimony; and, lastly, that two congregations should be held on each day, that of the morning being engaged in attending to the debates of the Theologians, and that of the evening in considering the aforesaid abuses. The Archbishop of Braga objected to so distant a day, and proposed, with much vehemence, that the prorogation

should extend to three weeks only ; in which opposition he was supported by the votes of 58 prelates ; but the proposal of the Legate was carried by a large majority, by the votes, that is, of 136 Fathers.

Eight articles on Matrimony were at once placed before the Theologians, who were divided into four classes ; certain of the articles being assigned to each class. The first congregation of Theologians was held on the 9th of February ; but, as the intention of publishing decrees on this sacrament, in this Session, was not carried into effect, the result of their deliberations will be given in the section on the twenty-fourth Session.

Early in March, the first Legate, the Cardinal of Mantua, died at the age of 58. The Imperialist and French prelates used every effort to have the Cardinal of Lorraine succeed to his honours ; but Seripando, upon whom that power naturally devolved, wrote immediately to Rome, requesting the Pontiff to appoint a Legate of tried experience, and of an age and a position to take precedence, as the first Legate. Pius, in order to anticipate the intrigues which he foresaw in favour of the French cardinal, immediately appointed the Cardinals Morone and Navagero as his Legates, assigning the precedence to the former. The death of the first Legate was almost immediately followed by that of Seripando, who died of fever on the 17th of March.

After the death of these prelates, though all public business was suspended, whilst waiting for the arrival of the new Legates, continued efforts were made to bring the Fathers to an agreement on the two vexed questions of the institution and residence of bishops. Morone made his public entry into Trent on the 10th of April, and was shortly afterwards visited by the ambassadors of the Catholic powers, to urge upon him the various demands of their respective courts. On the 13th he was received in General Congregation, and, having read the Bull of his appointment, he briefly addressed the Fathers, exhorting them to avoid all idle questions which tend not to edifica-

tion, but to apply themselves solely to such necessary articles as the circumstances of the times demanded.. On the 16th, Morone set out from Trent to meet the Emperor at Inspruch.

The delays caused by the above events rendered it again necessary to prorogue the Session until the 3rd of June; a day which was agreed to by the majority, though not without some opposition on the part of the Cardinal of Lorraine, and of many other prelates.

On the 28th of April, the second newly appointed Legate, Navagero, arrived privately at Trent; having recourse to this secrecy in order to avoid the usual disputes about precedency between the rival ambassadors.

On the 12th of May, the General Congregations began again to be held for the despatch of business. On that day the deputies presented their draught of the abuses that had crept into the administration of the sacrament of Order, the manner of electing to bishoprics, and other similar subjects. The Cardinal of Lorraine, who was the first to give his opinions on the proposed decrees, inveighed vehemently against the manner in which the deputies had discharged their task; condemned the ordination of titular bishops; the manner of electing cardinals; the custom of entrusting bishoprics to cardinal deacons; the desuetude into which the exercise of the minor orders had fallen; and concluded by proposing, in lieu of the scheme of reformation offered, four Chapters drawn up by himself, as a remedy for the abuses complained of. He was supported by the Archbishop of Granada, but opposed by the Archbishop of Lanciano, who, by an inadvertent attack on the absent German prelates, gave occasion to a new question of difficulty—the right of voting by proxy. But, in the midst of the discussions on this subject, the first Legate arrived at Trent, and his presence, added to the necessity of again proroguing the Session, suspended this inopportune and angry debate. It was at once unanimously resolved, that the Session should be postponed until the 15th of June.

In the early part of that month, the examination of the draught of abuses in Orders was resumed. Many alterations, and some of great magnitude, were proposed by various prelates, but not approved of by the majority. Meanwhile the first Legate entertained hopes of seeing the previous violence and debates brought to a peaceful conclusion, by passing in Session such points as all the Fathers agreed upon, and omitting all contested questions. Various favourable circumstances tended to this result; one of which was a project, suggested by Ferrier, for dissolving the Council, at the close of the next Session, and holding, in its stead, national Synods, in which such reforms as might be suitable to each country should be proposed and resolved on, but not carried into effect without the approbation of the Pontiff. Not only the Cardinal of Lorraine, but even two of the Legates, were favourable to this method of extricating themselves from their present difficulties; and Pius was known to be also inclined towards it.

With these more pleasing anticipations, it was proposed, and unanimously resolved, that the Session should be further prorogued until the 15th of July.

On the 16th of June, the Legates received letters from Rome, which left them at full liberty to act according to their judgment on all questions of doctrine and reformation; this permission being even extended, to matters relating to the College of Cardinals, to the entire removal and suppression of all coadjutor and titular bishops, the existence of which had been so loudly denounced in the previous congregations; one of the prelates, the Bishop of Gaudix, not hesitating to declare, that titular bishops had been introduced into the church by the device and artfulness of the devil, and by the slothfulness of prelates.

It may also be remarked, that it was the wish of Pius, that, when treating of legitimate bishops, it should be declared, that the bishops assumed and created by, or under, Elizabeth, were not lawful bishops; and that the queen herself should be denounced as a schismatic and a heretic.

But, upon the representation of the Spanish ambassador, that any such act would entail the murder of the few remaining Catholic bishops in England, the purpose was abandoned.

The Legates at length directed the deputies, who had drawn up the scheme of reformation, to reconsider their draught, and to make such alterations as the votes of the Fathers seemed to require; omitting, however, until the next Session, the decree on the election of bishops, as the opinions of the Fathers were so various and conflicting on this head. It was also resolved to eliminate the condemnation which had been prepared of titular bishops; to recommend the restoration of the offices of the minor orders; and above all to provide for the establishment of ecclesiastical seminaries.

As regards the seventh cañon,^(a) a suggestion, made by the Archbishop of Otranto, at last removed the main difficulties which had so long existed on that subject. Instead of declaring bishops to be *by institution of Christ*, as the Spanish prelates demanded, it was resolved to use the words *by divine ordination*; thus leaving undecided, whether that ordinance, or ordination, was immediately from God, or from the Sovereign Pontiff. This obstacle removed, the Legates, in order to do away, if possible, with the remaining impediment to the progress of the Council, assembled, on the 7th of July, a special meeting of the cardinals, and of thirty of the most eminent prelates, selected from various nations. After many hours of debate, the form proposed by the Cardinal of Lorraine on the question of residence was set aside, and that originally proposed by the Cardinal of Mantua adopted, but with some slight alterations; and at the same time all the decrees and canons on the sacrament of Order were adjusted and agreed to.

(a) It appears to have been afterwards placed as the sixth in order; the subject being divided into two canons.

On the 9th of June, the result of these deliberations was laid before a General Congregation, when there were found to be 227 votes in favour of the two decrees, as then presented; some slight changes, however, being suggested, which were confided to Marino, Foscarario, Castagna, and Paleotto, to be carried into effect. The Spanish prelates were, however, still urgent for the insertion, in the seventh canon, of the words, *by the institution of Christ*; representing, that the phrase, *by divine ordination*, might even be understood of that ordinary providence of God by which all things are by Him ordained, or permitted. But the dissentients scarcely amounted to even a fifth part of the Fathers.

On the 10th of July, the decrees on the abuses of Order were proceeded with, and completed by the 12th; the Cardinal of Lorraine being the author of the clause which declares the obligation of residence to attach to Cardinals, as well as to bishops.

On the 14th of July was held the last General Congregation, to complete the necessary arrangements for the next day, the day of Session. It had been rumoured, that the Spaniards had resolved to protest in open Session, if the words demanded by them were not inserted into the seventh canon. They were supported by six other prelates, not of Spain; namely, the Bishops of Aliffe, Verdun, Ostuni, Massa (near Naples), Caiazzo, and Monte di Jesi; but, by the intervention of the Spanish Ambassador, the threatened protest was abandoned.

Thus, at length, after so many prorogations and difficulties, the twenty-third Session was celebrated on the 15th of July, 1563. The mass was said by the Bishop of Paris, and the sermon preached by the Bishop of Aliffe. The Bishop of Castellaneta, who acted as secretary, in consequence of the illness of Massarelli, read the bulls appointing the two new Legates; the credentials of the various ambassadors who had arrived since the last Session; and the letters that had been addressed by the Christian princes to the Council, namely, from the King of Poland,

the Duke of Savoy, the Queen of Scotland, and the King of Spain. The celebrant then read the decrees and canons on the sacrament of Order.

All the Fathers received them unconditionally, with the usual *Placet*, except six. Amongst these were the Bishops of Segovia and of Vico, who declared their acceptance of the sixth and eighth canons, but hoped that they would later be further enlarged and explained. With them agreed the Bishop of Gaudix, adding also a wish for the representing clause. The Bishop of Ostuni also hoped that the sixth canon would be rendered more explicit; whilst the Bishop of Nicastro, on the other hand, expressed a wish, that if the sixth and eighth canons were rendered more full and explicit, the fourth chapter of doctrine should give a complete statement of the supreme authority and jurisdiction of the Pontiff.

The decree on residence was next proposed and admitted with a simple *Placet* by all but eleven; some of whom expressed a fear lest it might be interpreted as asserting the divine origin of the law of residence, contrary to the judgment of the majority of the prelates; whilst the Bishop of Viterbo thought the penalties inflicted on non-resident curates too severe. The rest expressed various wishes in regard of the College of Cardinals; the Bishop of Feltri alone offering any violent opposition to the decree.

The rest of the decrees of Reformation were received without opposition or comment; except on the part of six of the Fathers who noticed some minute particulars, on which they could have desired a more full explanation. The decree of Indiction was unanimously agreed to.

Visconti says that two hundred and twenty voted on the day of Session; of whom two hundred and eight were bishops. Le Plat does not give his usual list, at the close of this Session.

SESSION XXIV.

Legates wish to bring the Council to a close.—Opposed by the Count di Luna.—Who wishes that the Protestants should be again summoned.—Remaining Articles of Doctrine consigned to select Theologians.—Deputies chosen to prepare the Decrees.—The Pope wishes the speedy conclusion of the Council.—Leaves the Reformation of the Cardinals in the hands of the Council.—Directs that the demands of the various Princes be conceded.—Forty-two Chapters on Reformation prepared.—Their important nature.—On Clandestine Marriages.—Doubts regarding the power of the Church to annul them.—On Benefices with Cure.—Opposition on the part of the Cardinal of Lorraine.—He is pacified.—Reform of the abuses of Secular Princes.—Debates on the Sacrament of Matrimony.—Votes on annulling Clandestine Marriages.—New Canon proposed by Lorraine.—Arguments for and against annulling Clandestine Marriages.—Seventh Canon modified.—Chapters on Reformation reduced to twenty.—Decrees and Canons remodelled.—Additional Chapter on Reformation.—Remarks in the final Congregations.—Votes on a new form of Decree on Clandestine Marriages.—The Pope dissuades from passing any Decree on that subject.—Public Discussion ordered.—Arguments used.—No satisfactory result.—Session prorogued.—The Proposing Clause.—Decrees on Reformation prepared again in Congrégation.—Remarks and suggestions made.—Three Congregations consider them.—Fresh Draught of Decree on Clandestine Marriages.—Renewed Debates.—Question decided by the “Placet.”—Result.—Attempt to limit the prerogatives of Archbishops.—Proposing Clause explained.—Final Congregation.—Opinions of the Fathers.—The Session.—Dissentients.—References to the Pontiff.—Changes required in some of the Decrees of Reformation, in regard of Archbishops.

The Presidents, filled with joy at the happy termination of the last Session, were eager to bring the Council to a close. In this, however, they were openly and secretly opposed by the Count di Luna ; who appealed to the Legates again to summon the Protestants to the Council. Morone, who saw that delay was the object aimed at, replied, that any such invitation would not only be useless, but expose the authority of the Council to be contemned, and would cause unnecessary loss of time ; and that, therefore, he should resist it, and proceed rapidly with the business of the Council.

In pursuance of this declaration, it was resolved to consign the remaining articles of doctrine, such as indulgences, monastic vows, and similar questions, to a select body of Theologians, who should be commissioned to collect a list of articles of faith, reformation, and abuses ; which list, when completed, was to be delivered to deputies from amongst the Fathers, that the necessary canons and decrees might be framed, and placed as early as possible before the congregations.

In this resolution they were privately confirmed by the Pontiff ; who also, in public consistory, expressed his joy at the manner in which the last Session had terminated ; and announced to the cardinals, his determination that the reformation of their body should be left entirely in the hands of the Council. But the Count di Luna renewed his remonstrances ; objecting to the proposed method of expediting the business of the Council, by means of deputies ; and endeavoured to induce the other ambassadors to unite with him in this protest. Pius directed his Legates not to yield, but to proceed with the real business of the Council ; and urged them to apply themselves especially to reformation of discipline ; complying in every thing, as far as they safely and conscientiously could, with the demands of the various princes and nations ; and this without sending any more for instructions and directions from him.

The Presidents, accordingly, shortly afterwards, placed

before the Cardinal of Lorraine and the ambassadors, forty-two Chapters of Reformation, of such importance and magnitude, that the most sceptical were now convinced that the work was to be done effectually and in earnest.

Two only of the proposed articles occasioned any very serious debate: the first was the proposal to render clandestine marriages thenceforth null, a law which was urgently demanded by the French prelates; who also desired that the marriages of children, without the consent of their parents, should also be declared void; fixing, however, a certain age beyond which, the consent of parents would be no longer necessary. The opposition to this demand arose from doubts, whether it was in the power of the Church to annul such marriages, and also whether it were wise and advisable to enact so important a regulation. The second disputed article regarded the providing for benefices with cure of souls; many bishops objecting to the custom, by which, benefices falling vacant during certain months of the year were reserved to the Sovereign Pontiff to be distributed; whereas, it was contended, each bishop, in his own diocese, should have the distribution of this patronage, as he was best able to judge to whom such benefices should be confided. How much would hereby be taken from the Pontiff, and given to bishops, is obvious. Three methods of meeting the proposal were suggested to the Legates. First, that all benefices with cure should, in whatsoever month they fell vacant, be bestowed by the bishops; but that, as a compensation, all simple benefices—benefices, that is, without cure of souls—should thenceforth be distributed by the Pontiff: secondly, that benefices should only be given *in forma dignum*, a term of the Dateria, implying that the individual on whom the benefice was conferred should present himself before the bishop and prove himself worthy and competent to discharge the duties of the benefice: or, should neither of the above proposals meet with the concurrence of the prelates, that the Pope should confer the

benefices, which fell vacant during his months, on fit persons, and on such only as belonged to the diocese in which the benefice was situated, selecting also the incumbent from a list of individuals furnished him by the bishop.

But, besides these difficulties, some opposition was raised from another quarter, and on other grounds. Ferrier, who saw his favourite project of a dissolution of the Council, to be followed by national Synods, likely to be superseded; and the Cardinal of Lorraine, who had looked forward to the presidency of the Synod to be held in his own country, resolved to throw such impediments in the way, as might at length force the Legates to recur to their original purpose. The reforms proposed, it was represented, were so vast, that years would be spent in adjusting them to the satisfaction of the Council; the authority and just rights of the Pontiff were being sacrificed; in a word, they who had been the most urgent for reform, were now the least zealous in its favour; and the Pontiff, and his Legates, who had hitherto been accused of delaying and fearing that reform, were now reproached with hastening too rapidly, and conceding too unsparingly.

But the opposition of the cardinal was speedily removed, by admitting him to increased confidence, and treating him as if he had been really one of the Papal representatives; and the Legates were further confirmed in the resolution to proceed as speedily as possible, by the exhortations of the Pontiff to do their duty and fear not.

Another source of anxiety was the anticipated opposition to the proposed reforms in the interference, exercised by Secular princes and others, in the affairs of the Church, and especially as regards the episcopal order; the complaint of many of the bishops being, that they were more hindered in the discharge of their duties, and that greater evils were produced in the Church, by that interference, than by any other cause whatsoever.

In the mean time, the Legates and Cardinals were actively employed on the proposed Chapters of Reformation;

in making, that is, such additions and alterations as had been proposed by the various ambassadors and prelates; whilst the time and attention of the Fathers were occupied by the decrees and canons on the sacrament of Matrimony. It will be remembered, that certain articles on this sacrament had been consigned, early in February, 1563, to the Theologians, to be by them examined and reported on. In the first congregation,^(b) Salmeron, after having adduced the usual proofs that matrimony is a sacrament, and contended that, even though clandestinely contracted, it does not cease to be a sacrament; that the consent of parents is not necessary to the validity of the contract; proceeded to argue, that it is, nevertheless, in the power of the Church, to render that consent essential and necessary; the Church having authority to establish, as she had in times past established, new essential and diriment impediments of matrimony. These opinions were not, at that time, much contested, in the various meetings of the Theologians which continued to be held daily. In fact, on two points only was there, then, any serious difference of opinion; the first of these being, whether every marriage between Christians is a sacrament; or that marriage only which is blessed by a priest; the former opinion being held by the whole body of Theologians, with only two or three exceptions. The second question was, whether it was advisable to declare all clandestine marriages null; for, on the power of the Church to establish such a law, no controversy, as has been said, arose amongst them.

The canons and decrees having been framed in accordance with the opinions of the Consultors were placed before the congregations, almost immediately after the termination of the twenty-third Session; and the prelates continued, during fourteen meetings, to deliver their opinions on the

(b) Feb. 9, 1563.

proposed draught. The concluding votes were given on the last day of July.

The question most discussed was the proposal to annul clandestine marriages ; but, at length, there were 144 votes in favour of annulling them, or of its practical equivalent, the disabling, that is, all persons from contracting marriage under such circumstances ; whilst the rest of the Fathers were for retaining the actual usage and law of the Church. Amongst the latter were the Legates Hosius and Simonetta, whilst Morone remained neutral. The decree, however, prepared on this subject, was not approved of, and the deputies were directed to draw up a fresh form, which was again submitted to a public examination.

But it will be well to give a brief account of what passed in congregation on this important subject. At first, the debates on the question were confined to a decree on Reformation, which it was intended to place after the canons ; and, as one of those canons anathematized those who should deny the validity of clandestine marriages previously contracted, it was declared, in the appended decree on Reformation, that all marriages that should thenceforth be celebrated, without the presence of at least three witnesses, or without the consent of the parents of the contracting parties—if the bridegroom had not passed his eighteenth, and the bride her sixteenth, year—should be considered clandestine and null. It was, therefore, originally intended, that the subject should be treated as a simple regulation of discipline, and not defined as an article of faith ; as dogmas had never, hitherto, been defined by the Council, in opposition to any considerable minority ; whilst matters of Reformation were decided by the actual number of votes. But the debates, which ensued, caused this method of introducing and adjusting the question to be abandoned.

It was on the 24th of July, that the prelates began to deliver their opinions in General Congregation. The Cardinal of Lorraine, who spoke first, proposed that an additional canon should be prepared, condemning the opinion of

Calvin, that difference of religion, or the affected and voluntary absence of one of the parties, or cohabitation become irksome, dissolves the bond of marriage. This proposal, which, at first, had only forty-four votes in its favour, was eventually carried into effect. He then enumerated the civil and moral evils which result from clandestine marriages, and from the marriages of children without the consent of their parents; recommending, however, that instead of *parents* (*parentum*), the word *fathers* (*patrum*) should be substituted.

Madrucci was against any alteration in the actual law and practice of the church, except so far as might be necessary to correct abuses. He was followed by the Patriarch of Venice, who not only denied the prudence of the projected changes, but the power of the Church to make them. He contended, that a sacrament which has all that is essential to it, and is only defective in certain outward solemnities, or acts of propriety, cannot be rendered null; that the essence of matrimony consists in the mutual consent of the contracting parties, whilst the other solemnities were merely matters of decorum, or of testimony and proof, the absence whereof cannot affect the validity of the contract. And this argument, he continued, was even more urgent in the case of children marrying without the consent of their parents; for in addition to annulling a sacrament, there was a violation of that natural liberty which all possess upon coming to the age of puberty.

The Archbishop of Granada maintained that the Church has power to establish these diriment impediments: she had already exercised a similar power, so far even as to annul marriages, actually contracted and consummated, between believers and unbelievers; and further illustrated his argument, by remarking, that though penance is a sacrament, the Church has declared that absolution, given by any other than the proper pastor of the penitent, is null and without effect.

Castagna, archbishop of Rossano, one of the most able canonists of his day, said, that, though it was the more

common opinion of divines, that the Church has power to establish new diriment impediments, the contrary opinion was, nevertheless, maintained by many; and that, therefore, it would be unwise in the Council to decide on such a question. Neither, in his opinion, did the examples and illustrations adduced meet the case in point; for in other cases, persons previously able were indeed disabled from validly performing a certain act; but here it was proposed to render certain things essential to a sacrament which had not previously been considered necessary. This, he contended, was to change the essence of the sacrament; a power which the Church does not pretend to possess. To one, or other, of these opinions, the rest of the Fathers acceded; the debates on invalidating clandestine marriages, and marriages celebrated without the consent of parents, being continued till the 23rd of August.

A canon had also been proposed anathematizing those who assert that the bond of marriage is dissolved by adultery. But the Venetian Ambassadors, on the 11th of August, represented, that, unless the draught were altered, great scandal and evil would be produced in some of the dependencies of their republic; as in Candia, Cyprus, Corfu, Zante, and Cephalonia; in which islands, and in other places, it had been the custom, from time immemorial, not only to allow divorce, in cases of adultery, but also to permit the parties to marry again. They proposed, therefore, that the canon should be changed into the form in which it is now found; anathematizing, that is, those who assert that the Church has erred in declaring that marriage is not dissolved by adultery, but abstaining from the actual condemnation of those who assert that the bond is broken by that crime. This request, though yielded to, met with considerable opposition.

As the day of Session was now fast approaching, and it was found impossible to have all the decrees of Reformation ready, it was resolved to omit those articles which created insurmountable difficulties. The Chapters were, accordingly, reduced to twenty; the Fathers being

promised, that the reformation of the abuses complained of, as occasioned by the interference of Secular princes, should be entered upon in the ensuing Session. Private congregations were also held in the houses of the Cardinal of Lorraine, the archbishop of Otranto, and the Bishop of Parma, that the decrees on Reformation might be prepared in such manner as speedily to pass in congregation. The decrees and canons of doctrine were also remodelled, and the whole was laid before the Fathers, on the 15th of September.

The ambassador of the King of Spain requested and obtained the insertion of an additional decree on Reformation, referring all causes, in the first instance, to the jurisdiction of the Ordinary. On the 7th of September, the Fathers began to give their votes in General Congregation, on the newly framed canons and decrees on Matrimony. The following are some of the principal remarks made by the various prelates :

The Cardinal of Lorraine objected to the third canon, which condemned the assertion, that the Church has only power to impose the same impediments, as are recorded in Leviticus, and neither more nor less ; proposing that the words *nor less* should be omitted ; and the canon was framed accordingly. Some debate also again arose on the seventh canon ; which, it has been said, was formed so as to meet the representations of the Venetian Ambassadors ; but the votes of the majority were in favour of its retention.

But the decree on clandestine marriages was now also the chief subject of discussion and difference. Various modifications of the decree were suggested ; two witnesses were proposed as sufficient ; but, this being thought an incomplete security, it was recommended, that the presence either of a notary, or of the parish priest, should be also required. Various evils and difficulties being suggested as likely to result from determining in favour of the notary, it was at length resolved to make the presence of the parish priest necessary. The French bishops desired

that, beside the mere presence of the parish priest being commanded, it should be declared, that he presided at (*præfuerit*) the marriage; but this was rejected, on the ground that all that was sought for by his presence, however obtained, was to secure a valid and unimpeachable testimony to, and proof of, the marriage. The discussions on this subject were conducted with great warmth, one of the Patriarchs declaring, that the proposed decree was directly opposed to the law of God, and that he would resist it at the peril of his life.

On the 10th of September, when the votes had been all given, they were found to divide themselves into four classes. The first and second class respectively denied, or asserted, the power of the Church to annul the aforesaid marriages; the third admitted that the power existed, and might be exercised upon sufficient cause shown, but contended that no such cause had been proved; whilst the fourth advised that, whereas there were so many Fathers who admitted, or denied, the existence of the said power in the Church, the matter should be regarded as one of dogma, which ought not to be determined on either side, in the face of so numerous and serious an opposition. There were, however, 133 votes in favour of the decree, and 56 against it; whilst the remainder were for various and conflicting methods of meeting the evil.

The Pope also recommended to the Legates to avoid coming to any decision on a subject so complicated and disputed; an advice which the Legates themselves were, from their private opinions, already well disposed to. However, they resolved to make one more attempt to settle the question, and, on the 13th of September, they summoned, for that purpose, a general meeting of bishops and Theologians. Hosius, who had, throughout, denied the power of the Church to annul clandestine marriages, presided on the occasion, and briefly addressed the Theologians who had been selected to argue the matter; exhorting them to avoid all mere subtleties, and to state plainly and concisely the reasons of their denial, or assertion, of

the power of the Church, on the question before them. Frà Adriano Valentino, Francesco Torres, Salmeron,^(c) Peletier, and an English divine whose name is not known, denied the power of the Church to annul, whilst Foriero, Diego Payva, Simon Vigor, Dupré, and Fonditonio, asserted that the Church could annul, such marriages. The latter argued from the impediments imposed, by the Church, in certain degrees of consanguinity; but to this it was replied, that impediments, more or less imposed by nature, were not to be compared to those which annulled marriage, merely to obviate evils produced by human infirmity, or vice. The parity of other similar instances adduced was also denied; whilst Lainez urged the previous usage of the Church during 1500 years, though the same evils had always existed. In a word, the main argument, on one side, was the real, or supposed, exercise of this power by the Church in establishing similar impediments; whilst the chief ground of opposition was the acknowledged inability of the Church to change the essence of the sacraments, which, it was contended, would be the result of annulling marriages, clandestinely, but really contracted, by parties capable by age of entering into a contract,—which contract alone, in the opinion of the great majority, was essential to the validity of marriage, and the parties to which contract, were also, in the opinion of the same majority, the actual ministers of the sacrament. By degrees the disputants increased in vehemence, and the meeting was dissolved without coming to any satisfactory conclusion.

It was now evident that the Session could not be held on the 16th of September; accordingly, on the 15th of that month, it was prorogued until the 11th of November. Immediately after the prorogation, the Spanish ambassador renewed the old demand of his court, for the

(c) It may seem somewhat strange to find Salmeron's name in this list, after what is said of him at page ccxxv; but the account exactly corresponds with Palavicino's. C. f. L. xx., c. 2, with L. xxii., c. 9.

omission, or explanation, of the proposing clause. The real object of the court was to throw obstacles in the way of reforming the evils occasioned by secular princes in ecclesiastical matters ; the ambassador imagining, that, by taking out of the hands of the Legates the sole power of proposing, such confusion might be created, as would render it impossible to pass any scheme of reform on that head. The Legates answered, that they were desirous of abiding by their promise, and that of the Sovereign Pontiff ; which was, that the matter should be referred to the Fathers, and be decided according to their votes. Thus the question rested for the present.

The decrees of Reformation were again proposed in congregation. The Cardinal of Lorraine suggested, that, instead of *worthy* (*digni*), the word (*digniores*) *more worthy* should be used, when describing the qualifications of those who are to be chosen as bishops ; a recommendation which was adopted. Other minute alterations, in great numbers, were proposed by various prelates ; to consider which three congregations were appointed, that the decrees might be again laid before the Fathers in an amended form. A fresh draught of the decree on clandestine marriages was also prepared, in which, amongst other changes, the clause annulling the marriages of children, without the consent of their parents, was omitted. This form was examined in the congregation of the 13th of October ; but the old disputes, regarding the power of the Church, were revived. The Legates, therefore, resolved that the matter should be determined by the simple *Placet*, or *non-Placet*, of the Fathers. The votes, were taken, in this manner, on the 26th and 27th of October. The result of the votes was nearly similar to what it had been on previous occasions. Rather more than two-thirds of the Fathers approved of the decree, whilst about sixty opposed it ; and a few recommended that the question should be referred to the Pontiff. But even this could not satisfy, or silence, some of the prelates, amongst whom were some of the most able of the canonists, such as

Trivigiano, the Patriarch of Venice, Verallo, and Castagna, who continued to oppose the decree with unabated determination. The Bishop of Lesina went even so far as to declare, that he would not be present at the Session in which it should be attempted to pass it.

Another subject of discussion arose from the desire of many of the bishops to limit the privileges of archbishops. Two archbishops and two bishops were deputed to endeavour to come to some arrangement. At the same time, by the interference of the Pontiff, the complaints on the subject of the proposing clause were finally removed; that clause being explained in the way that may be seen in the twenty-first chapter on Reformation.

As the day of Session was now at hand, the Legates renewed their efforts to have every thing ready by the appointed time. Daily congregations were held; the decrees were placed and replaced before the Fathers; all suggestions were immediately attended to; so that, at length, the whole was adjusted, in as satisfactory a manner as was possible, considering the differences that existed on some of the decrees. It was also privately arranged, that if the opposition to the decree on clandestine marriages could not be overcome, it should be proposed to refer the matter to the Pontiff. On the morning of the 9th, two private meetings were held to retouch various clauses in the decrees, before they were proposed on the 10th, on which was held the final congregation on the eve of the day of Session. On that day, in order that each prelate might be at perfect liberty to act according to the unbiassed dictates of his own conscience, all persons were excluded from the congregation except those who had the right of voting; though, on other occasions, many proctors and Theologians had been accustomed to be present.

The canons and decrees on marriage having been proposed, the Cardinal of Lorraine objected to the anathema pronounced, in the sixth canon, against those who deny that marriage, not consummated, is dissolved by subsequent religious profession. He also wished that the

word *ecclesiastical* should be omitted from the ninth canon. In this he was supported by Cardinal Madrucci, who also was opposed to the impediments, created, or rather renewed, in the decree on abduction, and to the law annulling clandestine marriages. On this latter point, forty-seven prelates also joined in opposition, whilst others reserved the expression of their opinions until the following day. The decrees of general discipline were then proceeded with, and were passed with but slight opposition.

On the 11th of November was held the twenty-fourth Session. The mass was celebrated by Giorgio Cornaro, bishop of Trevigi, and the sermon preached by François Richardot, bishop of Arras. After letters had been read from Margaret, Regent of Flanders, from the Grand Duke of Tuscany, and from the Grand Master of Malta, the celebrant proposed the canons and decrees on matrimony. These were agreed to by the majority; but not without various expressions of dissent. The first Legate objected to an anathema being appended to the twelfth canon; and also appealed to the judgment of the Pontiff, on the subject of clandestine marriages. Hosius, who was too ill to be present, sent, on the day after the Session, a written paper, in which he also referred himself, on the same subject, to the Pontiff; and further declared that he accepted the ninth canon, in the sense of the Council, which did not purpose to define that the celibacy of the clergy arises from an ecclesiastical law, but merely to cite, and to condemn, the very words of Luther. Simonetta also referred himself to the judgment of the Pontiff, on clandestine marriages. The Cardinal of Lorraine again objected to the anathema in the sixth canon, and to the word *ecclesiastical* in the ninth. Cardinal Madrucci objected to the fourth and sixth canons; and agreed with the Cardinal of Lorraine in his opposition to the word *ecclesiastical* in the ninth; and also renewed his remonstrance against the decrees on clandestine marriages, and on abduction. The Patriarch of Jerusalem was equally opposed to the decree

on clandestine marriages, and also referred himself to the judgment of the Sovereign Pontiff. Other remonstrants followed on the same subject; amongst whom the most eminent, from position and learning, were the Archbishop of Otranto, Verallo, Castagna, and the Archbishops of Matera and of Nicosia. After the votes had been collected, the first Legate said aloud, in the usual form: "The canons and decrees on the sacrament of Matrimony have been approved of by the majority of the Fathers, but are disapproved of by fifty-two; amongst whom is the most illustrious Cardinal Simonetta, Legate of the holy Apostolic See; who refers himself, however, to the judgment of the Sovereign Pontiff; unto whom also I refer myself, being ready to approve of the decree, if it shall meet with the approval of the Pontiff."

The celebrant next proposed the decrees on Reformation in general; when it was found, that the votes of the Fathers required various alterations in the form read; in those decrees, that is, where certain privileges and powers of archbishops in regard of bishops were concerned. Those alterations were four in number; occurring in the second, third, fifth, and sixth chapters. They exempt bishops from annually visiting the metropolitan church, that visitation being limited to the year in which the provincial council was to be held; relieved bishops also from being visited, either in their cathedral church, or diocese, except for a cause taken cognizance and approved of by the provincial Council; withdrew the minor causes against bishops, from the jurisdiction of archbishops, and transferred them to the provincial Council; and, lastly, authorized bishops to absolve from every secret sin, even from heresy; not excepting those places where the Inquisition was established. Nor were these the only points on which the votes of the Fathers were found to come to a conclusion different from that expressed in the decrees as read. And whereas, in other Sessions, the wonder and exception had been, that on any decree proposed, there should be any objection offered, there was now scarcely a

Chapter, or an important clause, on which the votes did not exhibit some sort of opposition. The votes, however, were carefully collected; and, at a late hour, the first Legate proclaimed the result as follows: "All the decrees have been approved of by nearly all; many, however, have placed additions and alterations in various decrees, which do not change the substance thereof. In the second, third, fifth, and sixth, some things have been noticed, which will be adjusted in accordance with the votes of the majority, and be held in as much respect and account, as if they had been arranged in the present Session." The decree indicting the Session for the 9th of December, with power to shorten the term if expedient, was unanimously approved of; as also, that the sixth chapter which had been deferred, and which related to the exemption of Chapters, should be treated of in the next Session.

There seem to have been about the same number of prelates present at this Session, as at the preceding, but none of the usual authorities give any list.

SESSION XXV.

Joy of the Pope.—He recommends expedition.—The Legates propose to close the Council speedily.—Opposed by the Spanish Ambassador.—Measures to expedite business.—Prelates and Theologians chosen to prepare Decrees on remaining articles of Doctrine.—Congregations to consider the Chapters on Reformation.—Expedition used.—Changes and additions recommended.—Reformation of Regulars and of Nuns.—The Count di Luna attempts to hinder the progress of business.—Illness of the Pontiff.—Alarm of the Prelates.—They hasten to close the Council.—Articles of faith agreed to.—Omission of all notice of Indulgences.—Articles of general Reformation agreed to.—Session to con-

tinue for two days.—First day of Session.—Decrees passed.—Session prorogued to the following day.—Statement of doctrine on Indulgences prepared.—Proposed and agreed to.—One alteration made.—The prorogued Session.—Decrees passed.—The Pope to be petitioned to confirm the Council.—Acclamations of the Fathers.—Dissolution of the Council.—Joy of the Fathers.—Prelates required to subscribe the Decrees.—Number of signatures.—Signatures of the Ambassadors.—The Pope recovers.—Orders public thanksgivings.—Two of the Legates arrive at Rome.—Pius resolves to carry the Decrees into immediate execution.—Confirms the Council.—The Decrees printed and sent to the various Bishops.—Bull determining the time from which the Council became obligatory.—Congregation of eight Cardinals to see to the execution of the Council.—Acceptation of the Council.—Objections against the Council.—Considered.—Liberty of the Council.

On the evening of the day of Session, the Legates despatched a messenger to the Pope, to inform him of the result. Pius expressed his great pleasure at the praiseworthy termination of questions so important; and urged the Legates to proceed at once to the remaining business, and to bring their labours and the Council to a close.

But the Legates had already anticipated the wishes of the Pontiff; for, on the very day after the Session, they held a meeting for this purpose, consisting of the Cardinals Madrucci, and Lorraine, and of twenty-five prelates from various nations. The first Legate represented to the assembly, the urgent requests of the representatives of France, of the Emperor, and of the King of the Romans, for the speedy termination of the Council; any unnecessary delay being calculated to be of great injury to religion in those countries. Such also, they stated, was the wish of the Pontiff, of the various princes and states of Italy, and of Portugal and Poland; and he, therefore, requested of the Fathers to use their best endeavours that the Council might, at the latest, be concluded by the 9th of December.

All the prelates present agreed in the propriety of this proposal; and, with the exception of the Bishops of Lerida and Leon, who required first to ascertain the wishes of the King of Spain, all agreed to strive to carry it into effect. It was accordingly determined to proceed rapidly with the remaining decrees on Reformation, but not to urge on, without great caution and moderation, the projected reformation of the abuses of Secular princes, of whose help and support they would so soon stand in need. As regards dogma, but little remained to be considered; as the questions of purgatory, the invocation of saints, and the use of images, had been already sufficiently explained in previous Councils; and it would therefore be sufficient to state those doctrines briefly, and to correct the abuses that had, in any way, obscured them in practice: a decree, however, of the Sorbonne, exhibited by the Cardinal of Lorraine, on the question of images, gave great satisfaction. On the following day, five prelates were chosen to prepare the necessary decrees on each of the above articles of dogma; and these prelates, aided by a corresponding number of Theologians, very speedily framed the desired draughts. With matters thus arranged, the general meetings of the Fathers began to be held, on the 15th of November. Their attention was first given to the fourteen articles of Reformation which remained to be examined and settled; and such was their earnestness in expediting business, that, on the 18th, all the Fathers had delivered their opinions. Few changes of moment were recommended. Two of the most important were the following. It had been proposed, that bishops should have precedence every where over those in inferior orders; but, upon the representation of the Cardinal of Lorraine, that this would be attended with much inconvenience, when bishops did not appear in pontifical robes, the decree was modified accordingly. It was also proposed to do away entirely with coadjutor bishops; but the same cardinal stated that, by their means, in France, many monasteries were preserved in existence, and that such coadjutorships were

seldom or never complained of; and recommended that it should be ordained, that they should not be appointed without a grave cause; in which he was supported by seventy-eight votes, and by many others but little differing from his views. Four additional Chapters were also proposed and agreed to. The first Chapter, at the instance of Frà Bartolomeo de'Martiri, archbishop of Braga, prescribed the manner in which prelates should live, and administer their revenues; the second regarded tythes held by laymen; the third regulated the use of excommunication; the fourth ordered an archive to be prepared, in each diocese, for the safe custody of records.

There were also proposed twenty-two Chapters of Reformation in regard of Regulars; eight of which regard nuns. The votes on these subjects began on the 23rd of November, and only occupied four days. The Count di Luna now began to renew his efforts to prevent the speedy conclusion of the Council; but the sudden illness of the Pontiff rendered all his attempts fruitless; as the prelates were alarmed at the prospect of the evils which might result, if the death of the Pope should take place before the Council was dissolved. The Legates and deputies laboured assiduously to complete the decrees; deriving much assistance from the examination made, whilst the Council was sitting at Bologna, of the doctrines now to be defined.

On the 2nd of December, a General Congregation was held, in which the Presidents laid before the Fathers all that regards purgatory, images, relics, the invocation of saints, and certain laws of discipline. On indulgences there was not any decree ready; and it was represented, that, as it was a subject of some difficulty, and could not easily be prepared without delaying the Session, it was advisable to omit all notice whatever of the question. This omission, however, was a source of much regret to many of the prelates; who agreed, however, to abide by the arrangement, if unavoidable, rather than postpone the closing of the Council.

The decrees on dogma passed without opposition;

though not without the explanation of the doctrine of purgatory being blamed as superficial and unworthy of the Council.

The decrees on general Reformation passed also without opposition ; not excepting even the section on the exemption of Chapters, which had, in the previous Session, caused so many protracted debates.

It was proposed, that the concluding Session of the Council should be begun, on the following day, the 3rd of December, and finished on the 4th ; to which all the Fathers, except fourteen, readily assented.

The twenty-fifth Session, accordingly, began to be held on the 3rd of December. Zambeccaro, bishop of Salmona, celebrated the mass, and Girolamo Ragazzone, bishop of Nazianzum, preached. The celebrant first proposed the decrees on doctrine ; which were approved of by all, without remark ; except by Marano, bishop of Monte, who said, that as he had not had sufficient time to consider the decrees carefully, he should refer himself to the judgment of the Apostolic See ; and by the Bishop of Gaudix, who approved of the decrees, but not of the hurry in which they had been prepared and passed.

The celebrant then read the twenty-two Chapters on the Reformation of the Regular orders, and the twenty-one Chapters on Reformation in general. The decrees regarding Regulars were approved of without much opposition ; as also were those on General Reformation ; some, however, remonstrating against the twentieth Chapter on Secular princes, as inadequate for its object ; whilst others also considered the twenty-first Chapter useless and uncalled for.

A decree, proroguing the Session until the following day, was next read, and agreed to unanimously ; it being understood, that the remaining business of the Council was to be completed, and the Council closed on that day.

Upon leaving the meeting, the Legates employed themselves in perfecting what remained to be adjusted in the decrees for the next day ; and, as a general wish had been

expressed that something should be defined in regard of Indulgences, it was resolved to use the few hours that were left, in preparing a brief statement of doctrine on that subject. Morone alone opposed the design; but as all the ambassadors, and nearly all the Fathers were in favour of it, it became necessary to yield. The preparation of the decree was confided to the ablest amongst the divines and prelates; who, assisted as they were by the labours of the Fathers at Bologna, were enabled, in a very brief period, to draw up a draught which was read in a kind of General Congregation, held early on the morning of the 4th of December. The decree was there unanimously approved of; one alteration only being suggested and adopted. It had been provided, that no fixed sum of money should, under any circumstances, or for any cause, be paid for obtaining an Indulgence, and that no suspension of Pontifical Bulls should be allowed; but, upon the representation of the Bishop of Salamanca, that the words in question could only apply to the Spanish Cruzada, and that to retain them would be to direct an unnecessary reproof against the King of Spain, the clause was withdrawn; and this the more readily as the decree authorized the Sovereign Pontiff to do away with all abuses in the administration of Indulgences.

In consequence of the delay occasioned by this meeting, the Session was opened on the 4th, at a much later hour than usual. The mass was celebrated by Niccolo Maria Caracciolo, bishop of Catania, and, without any further ceremonial, the business was proceeded with.

The decree on Indulgences was first read; and was followed by the decrees on the choice of meats, and on festivals; on the Index, Catechism, Breviary and Missal; on the places occupied by the ambassadors; and on the reception and observation of the decrees of the Council. These various Chapters were received without any opposition; except the first on Indulgences; about twenty bishops, principally Spaniards, remonstrating against the omission of the clause against the Spanish Cruzada. It

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was then agreed, that all the decrees, both on doctrine and reformation, passed under Paul III., and Julius III., should be read. This having been done, the Fathers were asked, whether it was their pleasure, that the Council should be closed, and that the Sovereign Pontiff should be requested to confirm all the decrees passed since the commencement of the Council. All gave their votes in favour of both those proposals, with the exception of the Bishop of Granada, who said; "It pleases me that the Council terminate, but not that the confirmation thereof be asked for."

The historians, who were eye-witnesses^(d) of the scene that was presented by the Council at its termination, represent the Fathers as filled with joy at the conclusion of their labours; which had been extended over eighteen years; had produced results so important, and so far beyond what had generally been looked for, not only in the vindication of Catholic truth, but in the extensive, judicious, and solid reformation of the discipline of the Church, in almost all its parts, where any abuse had been complained of, or salutary change recommended. Then followed the acclamations of the Fathers, which were led by the Cardinal of Lorraine, who also had composed them, after the model of the ancient Councils.

The Legates next forbade, under pain of excommunication, any of the Fathers to leave Trent, without either first subscribing, with their own hand, or leaving an authentic record of their approval of, the decrees of the Council. The first Legate then blessed the Fathers, and dissolved the Council.

The decrees, authenticated by the signatures of the

(d) Thus, the auditor Paleotto, says, "Ubi vero ad acclamationes ventum est tunc ingens omnium admiratio, plausus, lætitiæque exorta est: nemo erat, qui non vultu, verbis, totoque corpore, summam hilaritatem significaret." Ser-vanzio, in his Diary, says: "Si partirono facendo una grande allegrezza, baciandosi, et abbracciandosi stretti, et molti molte lagrime gettando per gran letitia, dicendo di continuo, sia il nome del Signore Dio benedetto, che ha pur finalmente dato lieto fine a questo sacrosanto concilio."

secretary Massarelli, and of the notaries of the Council, were subscribed by two hundred and fifty-five prelates; that is, by the four Legates, two other cardinals, three patriarchs, twenty-five archbishops, one hundred and sixty-eight bishops, thirty-nine proctors of absent prelates, seven abbots, and seven generals of orders. The two French abbots of Clairvaux and Clugni approved of the decrees of faith without any reservation or limitation; but, as regards the decrees of Reformation, they merely stated, that they were willing to obey them. After the words "I have subscribed," all added, "defining;" except the proctors, who, as such, had not any definitive voice in the proceedings.

It was at first proposed to append to the subscriptions of the prelates, those of the ambassadors, who were all still present, with the exception of the French; as a kind of guarantee of their future acceptance in the nations which they represented. But the refusal of the Count di Lune to subscribe without the clause, "provided the Catholic King consent," caused this design to be abandoned. However, within two days after the conclusion of the Council, authentic instruments were drawn up containing the acceptance, and subscriptions of the ambassadors, but separate and distinct from those of the Fathers.

When Pius heard of the prosperous conclusion of the Council, he almost immediately revived from the dangerous illness under which he had been labouring. But, being still too weak to hold a consistory, he directed, in a consistorial congregation, assembled on the 12th of December, that public thanks should be returned to Almighty God, and a solemn procession be made, on the 15th, from St. Peter's to the Church of Santa Maria Sopra Minerva.

Morone and Simonetta arrived at Rome before the festivals of Christmas; Hosius and Navagero preferred, however, to return to their dioceses, which were threatened to be contaminated by the infection of heresy.

The searching reforms introduced, or recommended, in the various courts of Rome, naturally enough met with but little favour with some of the officers of those courts;

but, regardless of all murmurs and intrigues, the Pope speedily displayed his resolution to carry the decrees into full effect, both in letter and spirit. On the 30th of December, he publicly appointed Morone and Simonetta to see to the execution of the decrees, as far as the consistory was concerned; directed all bishops to repair at once to their Churches; and the cardinals to resign those bishoprics, the duties of which they could not discharge in person; and announced his determination to be the first to establish an ecclesiastical seminary, as an example to others, and as a testimony of his admiration of that wise regulation. He also deputed the Cardinals, Cicala, Vitelli, and Borromeo, to assist the two Legates, in devising the best means of confirming the Council, and of securing the execution of its decrees.

In a consistory, held on the 26th of January, 1564, the confirmation of the Council having been publicly requested by the Legates, in the name of the Council, that confirmation was given in the form transcribed towards the close of this work. The Bull of confirmation was prepared on the same day, and signed by all the cardinals, then present at Rome. The decrees were also carefully printed, that correct copies might be forwarded to all the bishops of the Catholic Church. Some controversy having arisen, as to the time from which the decrees of the Council began to be obligatory, the Pope issued a Bull, in which he declared, that, although the regulations of the Council had at once been carried into execution at Rome, their observance should not be considered binding throughout Christendom, before the 1st of May, 1564. On the 2nd of August, he signed a third Bull, appointing a congregation, to consist of eight cardinals, to see to the execution of the decrees of the Council.

Pius now directed his efforts to secure the acceptance of the Council in the various Christian nations. The Venetian republic was the first to meet his wishes, by solemnly accepting all the decrees, and requiring them to be observed throughout the whole extent of its domi-

nions. Portugal soon followed this example ; and on the 2nd of July, 1564, Philip of Spain issued a decree commanding that the Council of Trent should be received and observed by the Spanish nation ; and, by another edict, published on the 17th of the same month, enjoined its observance in Sicily ; and subsequently in Flanders and Naples. The acceptance of the Council by Spain and Portugal, entailed also its reception in their dependencies in America, the Indies, and Africa. On the 7th of August, 1564, it was also received in Poland. As to Germany, the Emperor Ferdinand and his son Maximilian declared themselves ready to receive the Council, provided the Pontiff would accede to their request for the use of the chalice, and permit the marriage of priests. The latter demand the Pontiff refused to comply with ; but, on the former he made some concessions ; authorizing various bishops to allow the use of communion under both kinds, under certain circumstances. The power, however, of the Protestants, in the Germanic Diet, rendered it next to impossible to enforce the acceptance of the Council, as a law of the Empire. Hence it was left to the prelates, to adopt and promulgate the decrees, in their respective dioceses, and to carry them into effect, so far as their peculiar circumstances permitted. To give a full account of the efforts made to procure the acceptance of the Council in France ; the repeated demands, made for its promulgation, by the clergy ; the promises of some of the French monarchs ; the acceptance of it by the Leaguers ; the opposition of the parliaments, and of the Royal Council ; would require more space than can be spared in these pages. Suffice it to say, that, as regards the articles of faith promulgated by the Council, there was never any opposition whatever offered by the Gallican church, to their complete and full recognition. In all controversies those decrees were ever appealed to as the rule of faith ; the profession of faith of Pius IV. was adopted by all the bishops ; in the provincial and diocesan Synods, and in the assemblies of the clergy, those decrees have been

repeatedly recognised ; and finally even the parliaments, in their resistance to the acceptation of the Council, have declared that they revered and embraced the decrees of faith, though they could not adopt its decrees of discipline, as being some of them opposed to the liberties of the Gallican Church, and others injurious to the rights of the crown. In a word, almost from the time of the close of the Council, until the eighteenth century, the bishops and clergy of France year by year urged and renewed their demand for the acceptation of the decrees of Trent ; and, by means of provincial and diocesan Synods, most of those decrees, on nearly all important points of discipline, have, at various times, been adopted and enforced, in every diocese of France. (*)

Before closing these essays, it may be well to subjoin a short notice of some of the usual objections brought against the Council.

It is not unusual with Protestant writers, to copy, without hesitation, the assertion of Fra Paolo, that the Council of Trent deceived the expectations formed of it, at its opening, and to represent it as a perfect failure. So far, it is said, from restoring unity, it has rendered a reconciliation impracticable ; the reformation of discipline was scarcely attempted, and, where attempted, was touched with too sparing a hand to be effectual ; the jurisdiction of bishops was reduced instead of being enlarged ; and the authority of the Sovereign Pontiff was in the same proportion increased.

1st. To represent the Council of Trent, as in any way influencing the conduct, or confirming the separation, of any of the sects whose opinions it condemned, is to gainsay plain facts of history. For, all these sects had completely separated from the Church, before a single decree had emanated from the Council. The change of religion in Germany, England, and elsewhere, was an established fact,

(*) See Courayer's Dissertation on the Acceptation of the Council, in the Appendix to vol. iii. of his Translation of Fra Paolo.

before the Council was assembled. Before the Council, entire nations abandoned the faith of their fathers; after the Council, no single instance can be adduced of any extensive revolt from the authority of the Church.

2. Neither is it true to say, that a reunion has been rendered more difficult since the promulgation of the decrees of the Council. For, what doctrine is there now prominently put forward as dividing the Catholic Church from the innovators, which had not already been defined by some other General Council, held before the Council of Trent? Whether on the sacraments, or on the other doctrines and practices of the Church, the decrees of Trent but followed those of anterior Councils, or the received constitutions of the Sovereign Pontiffs. There is not one article of faith contained in the profession of faith by Pius, which cannot be shewn to have been defined, and believed, as Catholic truth, or practised, when a practical doctrine, throughout Christendom, long before the Council promulgated, or enjoined that doctrine, or practice.

3. If there were any so credulous or zealous, as to believe that the Separatists would be brought back to Catholic unity by means of the Council, they were indeed disappointed; but disappointed, in spite of the warning of experience, and of all the past history of heresy and of the Church. No such hope could ever have been entertained, had they but reflected on the result of the decrees of the earliest, as well as of the more recent, Councils. The Arian heresy was not crushed by the Council of Nicæa; nay, it never was so extended, its ravages and power were never so great, as after the Council which condemned it. So was it after the Council of Constantinople; after that of Ephesus; and even after the magnificent assembly at Chalcedon. Such then had been the ordinary result; and there was every thing in the conduct, and doctrine, and declarations of the self-styled Reformers, to prepare men's minds for the conclusion, that the heresies of the sixteenth century would be no exception to the rule. In fact, their fundamental principle, or practical adoption, of the absurd

system of private interpretation ; their denial of all infallible authority ; would almost necessarily preclude the possibility of submission to the decrees of a Council, which was based on principles diametrically opposite. Hence, as is recorded in the preceding pages, both Clement and Paul III. declared, that the assembling of a Council was not to be regarded as a means of converting Germany.

Irreconcilable, then, that separation may be, and reconciliation impracticable ; but not on account of the Council of Trent ; but on account of the denial of truths which Trent did not affect to discover, or first proclaim, but simply stated and explained, in conformity with the decrees of previous Councils, and the uniform belief and practice of the Christian world. At Trent, therefore, the scattered dogmas were collected, but there was no innovation : before the Council whole nations fell away ; since the Council, the heresies condemned may count their gains, but can they count their losses ? The former are as nothing to the latter.

II. The reformation of discipline, especially in the ecclesiastical order, and government, from the highest to the lowest ranks, cannot be denied by any one conversant with the state of the Church before and after the Council. The extinction of pluralities ; the obligation of residence ; the annihilation of the mass of privileges and exemptions ; the establishment of ecclesiastical seminaries ; these and similar regulations have produced so favourable an effect, that the outward appearance of the Church has been almost entirely changed ; and so effective and wise were those regulations, that, at the expiration of nearly three hundred years, they are as vigorous and operative as ever, in preventing those grievous evils which they were established to remedy. It is very easy to decry the present, and to praise the past ; but, it would be difficult to lay the finger on any one century in the history of the Church, in which the outward polity, government, and discipline, whether in the higher, or inferior, orders of the clergy, can be shown to have been more pure, or free from just

subject of complaint. Neither would it be more easy to name an age which has produced men of greater eminence in holiness, in self-denial, in learning, in devotion to God's glory, and the salvation of men, in all the virtues and counsels of the Gospel, than have adorned the Church since the time of the Council of Trent. Even Courayer, in his otherwise censorious remarks and notes, inserted in his translation of the history of Fra Paolo, acknowledges the excellence of the disciplinarian reforms. (f)

III. As regards the jurisdiction and authority of bishops, it is a fact, which the slightest knowledge of history will make evident, that bishops have increased in power and honour, in proportion as the authority of the Sovereign Pontiff has been more fully and extensively exercised. And it is also certain, that the bishops, without losing one single particle of the jurisdiction which they enjoyed before the Council of Trent, recovered, by means of that Council, many of the privileges of which they had, by degrees and in various ways, been deprived ; so that, of all the Councils ever held, that of Trent promulgated the greatest number of decrees in their favour, and this on points the most important ; and it might even be safely said, that all the previous Councils united have done less, towards restoring their unfettered authority over their subjects, of all degrees, and in consequent diminution of the power of the Roman tribunals, than was effected by the single Council of Trent. A very cursory examination of the decrees of Reformation will establish the truth of this assertion beyond all controversy. And this will suffice to show the emptiness of the statement, that the Papal power was increased by that Council ; the fact being, that not a decree was passed in favour of the Sovereign Pontiff, either by conferring one privilege which he did not enjoy before, or asserting even that pre-eminence which had been proclaimed in the Council of Florence, and that of Lateran. Whilst, on the other hand, many graces and dispensa-

(f) Preface, vol. 1, p. xxvii—viii.

tions, previously granted freely by the Pontiff, were either suppressed altogether, or greatly limited; many causes and persons that had been withdrawn from the cognizance of bishops, before the meeting at Trent, were again placed under their jurisdiction by that assembly; nominally indeed as the delegates of the Apostolic See, but practically as completely as if no such form had been introduced to overcome the objections of privileged and exempted persons.

It will be useful to close these remarks, by a few lines on the liberty of the Council; as it is constantly objected, that the Council of Trent was not free, but was a mere passive instrument in the hands of the Pontiff.

But, before coming directly to the question, the reader must be reminded, that the Germans, and other nations, would never consent throughout to the Council being held in any city of the ecclesiastical states; so that, in the three reunions of the Council, all the proceedings were conducted in a city subject to the Emperor; and this even after the votes of two-thirds of the Fathers had transferred the Council to Bologna. Neither is it to be supposed, that the majority of the bishops were from the Pontifical States, or derived their revenues thence; the fact being, that the bishops from those states were always but a small and inconsiderable minority, when compared with those who held their bishoprics under the Emperor, and who, therefore, were far more directly under his power and influence than that of the Pontiff. Neither, therefore, as to the place in which the Council was held, nor as to the number of prelates present, was the Pope even upon a parity with the Austrian Emperor.

As regards any undue influence exercised by rewards, I am not aware that any accusation has ever been brought, on this head, against the Popes; but it may not be useless to remark, that there is no one instance of favour or advancement conferred on those who habitually supported the Legates, which their own merits and position did not of themselves justify and require; whilst several of those

most hostile and troublesome during the Council, were, when their qualities demanded it, advanced to the highest dignities by the Sovereign Pontiffs. It is true, that, in order to retain some of the poorer bishops at Trent, a pension was assigned them out of the Papal treasury ; but the amount, twenty-five scudi a month, was so trifling, that it was regarded, by the majority of those who received it, rather as a grievance than as a favour ; because, whilst it hindered them from leaving the Council, and returning to their dioceses, under the plea of poverty, it barely sufficed for their subsistence ; whence some of the most violent opponents of the Legates were to be found amongst those who were forced to accept that pension.

It now remains to consider, whether the Council was, on any occasion, induced, or compelled, to pass a decree which really was opposed to the wishes of the Fathers ; or, on the other hand, was prevented, in any instance, from acting as their desires and consciences prompted them.

As not a single decree of faith was promulgated to the advantage of the Pope, whilst many decrees of discipline were issued in direct opposition to his interests, and those of his courts at Rome ; it is plain, that the plea of undue influence, or compulsion, cannot for a moment be sustained. Neither can that of hindering the Fathers from passing decrees be better supported. Only two cases have been adduced in support of the accusation ; the first, on the origin of the law of residence ; the second, on the origin of the institution of bishops. Now, as regards the first, it has been seen, in this history of the Council, that Pius IV., though averse at first from any definition of a question so doubtful, and so violently debated, not only amongst the Fathers, but amongst Catholic writers, at length directed his Legates to decide it by the votes of the majority. Two of his own Legates were in favour of asserting the divine origin of residence, and one regarded it as of ecclesiastical law ; and, if the matter was left undetermined, it was not through the fault or interference of the Pope, but because the Fathers could not sufficiently agree amongst them-

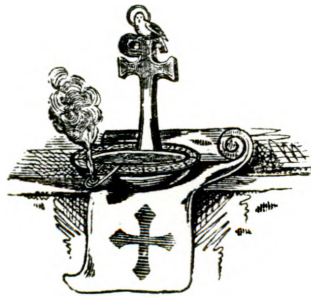
selves, to justify the promulgation of any decree on the subject. Amongst those who maintained the divine origin of residence, were some of the most strenuous supporters of the authority of the Pontiff; men afterwards raised to the highest dignities, and even to the Apostolic throne. And it may be doubted whether the effect, which the affirmation of that divine origin was considered likely to produce, has not been as effectually secured by the zeal and attention of the Sovereign Pontiffs, in this regard, as if the Council had unanimously agreed that bishops are bound to residence by the law of God.

Much the same must be said on the divine institution of episcopacy, in regard of jurisdiction. The subject was left to the votes of the prelates; and no decision was come to, because no agreement could be arrived at. Whilst, so far was the Pontiff from wishing to exalt his own privileges over those of the bishops, that, when nine-tenths of the Fathers were willing to renew in his favour the decree of the Council of Florence, and even to proclaim his superiority over a General Council, he refrained from taking advantage of their readiness; and this at the desire of the Cardinal of Lorraine, and of a few French prelates, supported by a small number of other bishops, who alone were opposed to the promulgation of decrees so advantageous to his authority. Whence it follows, that, as regards the decrees of faith, only in two instances, did the Pontiff interfere at all; and, in those, the matter was eventually left to the unbiassed judgment of the Fathers.⁽¹⁾

The decrees of Reformation present no difficulty: for not only did the Pontiffs leave the Fathers to decide as they pleased on all questions over which they had direct jurisdiction; but, even on those reserved especially to the Holy See, and in regard of his own tribunals, Pius repeatedly directed his Legates to leave the whole to the judgment and votes of the Council; and his complaint con-

(1) This is acknowledged even by Courayer, T. 1. Preface p. xxix.

stantly was, that they continued to request his instructions, even after he had ordered them to leave all to the votes, and the wishes, of the Fathers. The Cardinal of Lorraine, the Archbishop of Braga, the Emperor of Austria, and the Kings of Spain and Portugal, each and all bore honourable testimony to the conduct of the Pontiff in this regard; to his repeated injunctions to satisfy their demands in every practicable particular; whilst, if ever the Council was indeed checked in its wishes, it was when it was proposed to correct the abuses, caused by the interference of Secular princes in the administration and government of the Churches within their dominions. And whereas Pius, at once, accepted and enforced all the decrees of Trent, within his own territory, and in his own tribunals; detrimental as many of those decrees were to his interest and those of his courts; those princes, with few exceptions, refused to introduce the decrees of discipline, except by degrees, and in proportion as their necessity, or utility, was clearly manifested, by the wants of their states, or the demands of their clergy.



THE
CANONS AND DECREES
OF THE
SACRED AND ŒCUMENICAL
COUNCIL OF TRENT.

THE BULL OF INDICATION
OF THE
SACRED ŒCUMENICAL AND GENERAL
COUNCIL OF TRENT,
UNDER THE SOVEREIGN PONTIFF, PAUL III.

PAUL, bishop, servant of the servants of God, for the future memory hereof.

At the beginning of this our pontificate,—which, not for any merits of our own, but of its own great goodness, the providence of Almighty God hath committed unto us,—already perceiving unto what troubled times, and unto how many embarrassments in almost all our affairs, our pastoral solicitude and watchfulness were called; we would fain indeed have remedied the evils wherewith the Christian commonweal had been long afflicted, and well-nigh overwhelmed; but we too, as men *compassed with infirmity*,^(a) felt our strength unequal to take upon us so heavy a burthen. For, whereas we saw that peace was needful to free and preserve the commonweal from the many impending dangers, we found all replete with enmities and dissensions; and, above all, the (two) princes, to whom God has entrusted well-nigh the whole direction of events, at enmity with each other. Whereas we deemed it necessary that there should be *one fold and one shepherd*,^(b) for the Lord's flock in order to

(a) Hebr. v. 2.

(b) John x. 16.

maintain the Christian religion in its integrity, and to confirm within us the hope of heavenly things; the unity of the Christian name was rent and well-nigh torn asunder by schisms, dissensions, heresies. Whereas we could have wished to see the commonwealth safe and guarded against the arms and insidious designs of the Infidels, yet, through our transgressions and the guilt of us all,—the wrath of God assuredly hanging over our sins,—Rhodes had been lost; Hungary ravaged; war both by land and sea had been contemplated and planned against Italy, Austria, and Illyria; whilst our impious and ruthless enemy the Turk was never at rest, and looked upon our mutual enmities and dissensions as his fitting opportunity for carrying out his designs with success. Wherefore, having been, as we have said, called upon to guide and govern the bark of Peter, in so great a tempest, and in the midst of so violent an agitation of the waves of heresies, dissensions, and wars; and, not relying sufficiently on our own strength, we, first of all, *cast our cares upon the Lord*,^(c) that He might sustain us, and furnish our soul with firmness and strength, our understanding with prudence and wisdom. Then, recalling to mind that our predecessors, men endowed with admirable wisdom and sanctity, had often, in the extremest perils of the Christian commonweal, had recourse to œcumenical councils and general assemblies of bishops, as the best and most opportune remedy, we also fixed our mind on holding a general council; and having consulted the opinions of those princes whose consent seemed to us to be specially useful and opportune for this our project; when we found them, at that time, not averse from so holy a work, we, as our letters and records attest, indicted an œcumenical council, and a general assembly of those bishops and other Fathers whose duty it is to assist thereat, to be opened at the city of Mantua, on the tenth of the calends of June,^(d) in the year 1537 of our Lord's Incarnation, and the third of our pontificate; having an almost assured hope that, when assembled there in the name of the Lord, He, as He promised, would *be in the midst of us*,^(e) and, in His goodness and mercy, easily dispel, by the breath of His

(*) Ps. liv. 23.

(d) The 23rd of May.

(e) Matth. xviii. 20.

mouth, all the storms and dangers of the times. But,—as the enemy of mankind ever sets his snares against holy enterprises,—at the very outset, contrary to all our hopes and expectations, the city of Mantua was refused us, unless we would submit to certain conditions,—as described in other letters of ours,—which conditions were utterly alien to the institutes of our predecessors, to the state of the times, to our own dignity and liberty, that of this holy see, and of the ecclesiastical character. We were, therefore, necessitated to find another place, and to make choice of some other city; and whereas one fit and suitable did not immediately present itself, we were obliged to prorogue the celebration of the council unto the ensuing calends of November.^(f) Meanwhile the Turk, our cruel and perpetual enemy, attacked Italy with a vast fleet; took, sacked, ravaged several cities of Apulia, and carried off numbers into captivity; whilst we, in the midst of the greatest alarm, and the general danger, were engaged in fortifying our shores, and in furnishing assistance to the neighbouring states. But not therefore did we meanwhile cease to consult with the Christian princes, and to exhort them to inform us, what, in their opinion, would be a suitable place wherein to hold the council: and whereas their opinions were various and wavering, and there seemed to be needless delay, we, with the best intentions, and, as we also think, with the most judicious prudence, fixed on Vicenza, a wealthy city granted to us by the Venetians, and which, by their valour, authority, and power, offered in a special manner both unobstructed access, and a safe and free place of residence for all. But, as too much of the time appointed had already passed away; and it was necessary to signify to all the fresh city that had been chosen; and, whereas the approaching calends of November precluded our having the opportunity of making the announcement of this change public, and winter was now near; we were again constrained to defer, by another prorogation, the time for opening the Council, to the next ensuing Spring, that is, to the next calends of May.^(g) This having been firmly resolved upon and decreed; considering,—whilst preparing ourselves, and

(f) Novemb. 1.

(g) The 1st of May.

arranging all other matters for conducting and celebrating that assembly in a proper manner under the divine assistance,—that it was a point of great importance, both as regards the celebration of the Council, and the general weal of Christendom, that the Christian princes should be united together in peace and concord ; We ceased not to implore and conjure our most beloved sons in Christ, Charles, ever August, the emperor of the Romans, and Francis, the most Christian king, the two main supports and stays of the Christian name, to meet together for a conference between them and us ; and, with both of them, by letters, Nuncios, and our Legates *a latere* selected from amongst our venerable brethren, did we very often strive to move them to lay aside their jealousies and animosities ; to unite in strict alliance and holy friendship ; and to succour the tottering cause of Christendom : for as it was to preserve this especially, that God had bestowed on them their power, if they neglected to do this, and directed not all their counsels to the common weal of Christians, a bitter and severe account would they have to render unto Him. They, yielding at last to our prayers, repaired to Nice ; whither we also, for the cause of God and to bring about peace, undertook a long journey, though sorely unsuited to our advanced age. Meanwhile, as the time fixed for the Council,—the calends to wit of May,—drew nigh, we did not neglect to send to Vicenza three Legates *a latere*,—men of the greatest virtue and authority, chosen from the number of our own brethren, the cardinals of the holy Roman Church,—to open the Council ; to receive the prelates as they arrived from various parts ; and to transact and attend to such matters as they should deem necessary, until we, on our return from our journey and message of peace, should be able ourselves to direct everything with greater precision. We, in the mean time, applied ourselves to that holy and most necessary work, the negotiation of peace ; and this with all the zeal, the affection, and the earnestness of our soul. God is our witness, on whose clemency we relied, when we exposed ourselves to the dangers of that journey at the peril of our life : our conscience is our witness, which herein, at least, cannot reproach us with having either neglected, or not sought for, an opportunity of effecting a reconciliation : the

princes themselves are our witnesses, whom we so often and so earnestly conjured by our Nuncios, letters, legates, admonitions, exhortations, and by all kinds of entreaties, to lay aside their jealousies, to unite in alliance, and with combined zeal and forces to succour the Christian commonweal, which was now reduced to the greatest and most urgent danger. And witnesses too are those watchings and cares, those labours of our soul both by day and night, and those grievous solitudes, which we have already endured to such an extent in this business and cause ; and yet our councils and acts have not as yet brought about the wished-for result. For so hath it seemed good to the Lord our God, who, however, we still hope will cast a more favourable eye on our wishes. For ourselves, we, as far as in us lay, have not, indeed, herein omitted anything that was due from our pastoral office. And if there be any who interpret in any other sense our endeavours after peace, we are indeed grieved ; but, in our grief, we return thanks to that Almighty God, who, as a pattern and a lesson of patience unto us, willed that His own apostles should be *accounted worthy to suffer reproach for the name of Jesus* ^(h) *who is our peace.* ⁽ⁱ⁾ However, in that our meeting and conference at Nice, though, by reason of our sins, a true and lasting peace could not be concluded between the two princes, yet was a truce for ten years agreed upon ; under favour of which having our hopes, that both the sacred council might be celebrated more commodiously, and further that peace might be perfectly established by the authority of the council, we were urgent with those princes to come themselves to the council, to bring with them those of their prelates who accompanied them, and to summon the absent. They having excused themselves upon both these points,—for that it was at that time, necessary for them to return to their kingdoms, and that the prelates whom they had with them, being wearied and exhausted by the journey and its expenses, must needs refresh and recruit themselves,—exhorted us to decree yet another prorogation of the time for opening the council. And whereas we had some difficulty to yield herein, in the interim we received letters from our legates

^(h) Acts v. 41.

⁽ⁱ⁾ Eph. ii. 14.

at Vicenza, announcing that, although the day for opening the council had arrived, nay had long since passed by, barely one or two prelates had repaired to Vicenza from any of the foreign nations. Upon receiving this information, seeing that the council could not, under any circumstances, be held at that time, we accorded to the said princes, that the time for celebrating the council should be deferred till next holy Easter, the feast of the Resurrection of the Lord. Of which our ordinance and prorogation, the decretal letters were given and published at Genoa, in the year of the Incarnation of our Lord, MDXXXVIII, on the fourth of the calends of July.^(k) And this delay we granted the more readily, because each of the princes promised us to send an ambassador to us at Rome; in order that those things which were necessary for the perfect re-establishment of peace,—all of which could not, on account of the shortness of the time, be completed at Nice,—might be treated of and negotiated more conveniently at Rome in our presence. And for this reason also, they both begged of us, that the negotiation of peace might precede the celebration of the council; for that, peace once established, the council itself would then be much more useful and salutary to the Christian commonweal. It was, indeed, this hope of peace, thus held out to us, that ever moved us to assent to the wishes of those princes; a hope which was greatly increased by the kindly and friendly interview between those two princes after our departure from Nice; the news of which was to us a source of very great joy, and so confirmed us in our good hope, that we believed that God, at length, had hearkened to our prayers, and had graciously received our earnest wishes for peace. The conclusion, then, of this peace was both desired and urged; and as it was the opinion not only of the two princes aforementioned, but also of our most dear son in Christ, Ferdinand, King of the Romans, that the business of the council ought not to be entered upon until after peace had been established; whilst all the parties urged upon us, by letters and their ambassadors, again to appoint a further prorogation of the time; and the most serene emperor was especially urgent, representing that he had promised those who dissent from Catholic unity, that he would interpose his mediation with us, to the end that some plan of

(*) June 28th.

concord might be devised, which could not be accomplished satisfactorily before his return to Germany : impelled throughout by the same desire of peace, and by the wishes of so mighty princes, and, above all, seeing that not even on the said feast of the Resurrection had any other prelates assembled at Vicenza, we, now avoiding the word prorogation, so often repeated in vain, chose rather to suspend the celebration of the general council during our own good pleasure, and that of the Apostolic See. We accordingly did so, and despatched our letters touching such suspension to each of the above-named princes, on the tenth day of June, MDXXXIX, as from the tenor thereof may be clearly seen. This necessary suspension, then, having been made by us, whilst we were looking forward to that more suitable time, and to that conclusion of peace which was later to bring both dignity and numbers to the council, and more immediate safety to the Christian commonweal ; the affairs of Christendom meanwhile fell day by day into a worse state. The Hungarians, upon the death of their king, had invited the Turk ; King Ferdinand had declared war against them ; a part of Belgium had been incited to revolt against the most serene emperor, who, to crush that rebellion, traversed France on the most friendly and harmonious terms with the most Christian king, and with great show of mutual good will towards each other ; and, having reached Belgium, thence passed into Germany, where he commenced holding diets of the princes and cities of Germany, with the view of treating of that concord of which he had spoken to us. But as there was now no longer scarcely any hope of peace, and the scheme of procuring and treating of a re-union in those diets seemed only adapted to excite greater discord, we were led to revert to our former remedy, a general council ; and, by our legates, cardinals of the holy Roman Church, we proposed this to the emperor himself ; and this we did especially and finally in the diet of Ratisbon, at which our beloved son, Cardinal Gaspar Contarini, of the title of St. Praxedes, acted as our legate with very great learning and integrity. For, whereas what we had previously feared now come to pass,—that by the advice of that diet we were called upon to declare that certain of the articles, maintained by the dissenters from the Church, were to be tolerated until they should be examined and decided upon

by an œcumenical council; and whereas neither Christian and Catholic truth, nor our own dignity and that of the Apostolic See, would suffer us to yield this,—we chose rather to command that a proposal should be openly made, that a council should be held as soon as possible. Nor, indeed, had we ever any other sentiment or wish, but that an œcumenical and general council should be convened on the very first opportunity. For we hoped that both peace might thereby be restored to the Christian people, and to the Christian religion its integrity; yet were we wishful to hold that council with the good wishes and favour of the Christian princes. And whilst looking forward to those good wishes, whilst watching for that hidden time, *for the time of thy good pleasure, O God*,⁽¹⁾ we were at last forced to the conclusion, that every time is well pleasing unto God wherein deliberations are entered upon touching holy things, and such as relate to Christian piety. Wherefore, upon beholding with the bitterest grief of soul, that the affairs of Christendom were daily hurrying on to a worse state; Hungary overwhelmed by the Turk; Germany endangered; all the other states oppressed with terror and affliction; we resolved to wait no longer for the consent of any prince, but to look solely to the will of God, and the good of the Christian commonweal. Accordingly, as we no longer had the city of Vicenza, and were desirous, in our choice of a fresh place for holding the council, to have regard both to the common welfare of Christians, and also to the troubles of the German nation; and seeing, upon several places being proposed, that they (the Germans) wished for the city of Trent, we,—though of opinion that every thing might be transacted more commodiously in Cisalpine Italy,—nevertheless yielded up our will, with paternal charity, to their demands. Accordingly, we have chosen the city of Trent as that wherein an œcumenical council is to be held on the ensuing calends of November:^(m) fixing upon that place as a convenient one whereat the bishops and prelates can assemble very easily indeed from Germany, and from the other nations bordering on Germany, and without difficulty from France, Spain, and the other remoter provinces. And in fixing

(1) Ps. lvi. 14.

(m) November 1st.

the day for the council, we have had regard that there should be time both for publishing this our decree throughout the Christian nations, and for allowing all prelates an opportunity of repairing to Trent. Our motive for not prescribing that a whole year should expire before changing the place of the council,—as by certain constitutions has been aforetime regulated,⁽ⁿ⁾—was this, that we were unwilling that our hope should be any longer delayed of applying some remedy to the Christian commonwealth, suffering as it is under so many disasters and calamities. And yet we observe the times; we acknowledge the difficulties. We know that what may be looked for from our councils is a matter of uncertainty. But, seeing that it is written, *commit thy way to the Lord, and trust in him, and he will do it,*^(o) we have resolved rather to trust in the clemency and mercy of God, than to distrust our own weakness. For, upon engaging in good works, it often happens, that what human councils fail in, the divine power accomplishes. Wherefore, relying and resting on the authority of that Almighty God, Father, and Son, and Holy Ghost, and on the authority of His blessed apostles, Peter and Paul, (an authority) which we also exercise on earth; with the advice also and assent of our venerable brethren, the cardinals of the holy Roman Church; after having removed and annulled, as by these presents we do remove and annul, the suspension aforementioned, we indict, announce, convoke, appoint, and decree a sacred, œcumenical and general council,—to be opened on the ensuing calends of November of the present year, MDXLII, from the Incarnation of the Lord,—in the city of Trent, a place commodious, free, and convenient for all nations; and to be there prosecuted, concluded, and completed, with God's help, to His glory and praise, and the welfare of the whole Christian people; requiring, exhorting, admonishing all, of every country, as well our venerable brethren the patriarchs, archbishops, bishops, and our beloved sons the abbots, as also all others soever, unto whom, by right or privilege, the power has been granted of sitting in general councils, and of delivering their sentiments therein; enjoining moreover, and strictly command-

(n) Concil. Constantiense, sess. 39.

(o) Ps. xxxvi. 5.

ing them, by virtue of the oath which they have taken to us and to this holy See, and in virtue of holy obedience, and under the other pains, which, by law or custom, are usually passed and proposed in the celebration of councils, against those who do not attend, that they are, undoubtedly to repair to and to be present themselves in person at this sacred council—unless they shall happen to be hindered by some just impediment, of which, however, they shall be obliged to furnish proof—or at all events by their own lawful deputies(p) and proctors. And we also beseech the aforementioned emperor, and the most Christian king, as also the other kings, dukes, and princes, whose presence, now if ever, would be of especial advantage to the most holy faith of Christ, and of all Christians; conjuring them by the bowels of the mercy of God and of our Lord Jesus Christ,—the truth of whose faith, and whose religion are now so sorely assailed both from within and without,—that, if they would have the Christian commonweal safe, if they feel themselves bound and obliged, by the Lord's great benefits towards them, they abandon not His own cause and interests; and come themselves to the celebration of the sacred council, where their piety and virtue would be greatly conducive to the common good, to their own welfare, and that of others, both in time and eternity. But if, which we hope may not be the case, they shall be unable to come in person, let them at least send, with an authoritative commission, as their ambassadors, men of weight, who may each in the council represent the person of his prince with prudence and dignity. But above all, let this—which is a thing very easy on their parts—be their care, that, from their respective kingdoms and provinces, the bishops and prelates set forth without tergiversation and delay; a request which God Himself, and we, have a right to obtain from the prelates and princes of Germany in a special manner; for as it is principally on their account, and at their instance, that the council has been indicted and convoked, and in the very city which they desired, let them not think it burthensome to celebrate and adorn it with the presence of their whole body. That

(p) Legatos.

thus,—with God going before us in our deliberations, and holding before our minds the light of His own wisdom and truth,—we may, in the said sacred œcumenical council, in a better and more commodious manner, treat of, and, with the charity of all conspiring to one end, deliberate and discuss, execute and bring to the desired issue, speedily and happily, whatsoever appertains to the integrity and truth of the Christian religion; the restoration of good and the correction of evil manners; the peace, unity, and concord both of Christian princes and peoples; and whatsoever is needful for repelling those assaults of barbarians and infidels, with which they seek the overthrow of all Christendom. And that this our letter, and the contents thereof, may come to the knowledge of all whom it concerns, and that no one may plead as an excuse ignorance thereof, especially also as there may not perhaps be free access to all, unto whom our letter ought to be individually communicated; we will and ordain, that in the Vatican Basilica of the prince of the apostles, and in the Lateran Church, at the time when the multitude of the people is wont to assemble there to hear the divine service,(q) it be publicly read in a loud voice by officers of our court, or by certain public notaries; and, after having been read, be affixed to the doors of the said churches, also to the gates of the apostolic Chancery, and to the usual place in the Campo di Fiore, where it shall for some time hang exposed to be read and seen by all; and, when removed thence, copies thereof shall still remain affixed in the same places. For we will that, by being thus read, published, and affixed, the letter aforesaid shall oblige and bind, after the interval of two months from the day of being published and affixed, all and each of those whom it includes, even as if it had been communicated and read to them in person. And we ordain and decree, that an unhesitating and undoubting faith be given to copies thereof written, or subscribed, by the hand of a public notary, and guaranteed by the seal of some ecclesiastic constituted in authority. Wherefore, let no one infringe this our letter of indiction, announcement, convocation, statute, decree, mandate, precept, and prayer, or

(q) Rem.

with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His blessed apostles Peter and Paul. Given at Rome, at Saint Peter's, in the year MDXLII of the Lord's Incarnation, on the eleventh of the calends of June,^(r) in the eighth year of our pontificate.

BLOSIUS.

JER. DAND.

SESSION THE FIRST,

OF THE

ŒCUMENICAL AND GENERAL

COUNCIL OF TRENT,

Celebrated under the sovereign Pontiff, Paul III., on the thirteenth day of the month of December, in the year of the Lord, MDXLV.

DECREE TOUCHING THE OPENING OF THE COUNCIL.

Doth it please you,—unto the praise and glory of the holy and undivided Trinity, Father, and Son, and Holy Ghost; for the increase and exaltation of the Christian faith and religion; for the extirpation of heresies; for the peace and union of the Church; for the reformation of the Clergy and Christian people; for the depression and extinction of the enemies of the Christian name,—to decree and declare that the sacred and general council of Trent do begin, and hath begun?

They answered: It pleaseth us.

(r) May 22d.

INDICTION OF THE NEXT SESSION.

And whereas the solemnity of the Nativity of our Lord Jesus Christ is near, and other festivals of the closing and opening year follow thereupon, doth it please you, that the first ensuing session be held on the Thursday after the Epiphany, which will be the seventh of the month of January, in the year of the Lord MDXLVI?

They answered: It pleaseth us.

SESSION THE SECOND,

Celebrated on the seventh day of the month of January, MDXLVI.

DECREE TOUCHING THE MANNER OF LIVING, AND OTHER MATTERS TO BE OBSERVED, DURING THE COUNCIL.

The sacred and holy Synod of Trent—lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein—recognising, with the blessed apostle James, that *Every best gift and every perfect gift is from above, coming down from the father of lights,*^(*) who, to those who ask of him wisdom, giveth to all abundantly, and upbraideth them not;^(†) and knowing withal that *The fear of the Lord is the beginning of wisdom,*^(‡) hath ordained and decreed, that all and each of the faithful of Christ, assembled in the city of Trent, be exhorted, as they are hereby exhorted, to amend themselves of their evils and sins heretofore committed, and to walk henceforth in the fear of the Lord; not *to fulfil the lusts of the flesh*;^(§) to be *instant in prayer*; to confess more frequently; to receive the sacrament of the Eucharist; to visit churches; to fulfil, in fine, as far as each one shall be able, the commandments of the Lord; and, furthermore, to pray daily in private for peace between Christian princes, and for the unity of the Church: and as regards the bishops, and all others soever constituted in the priestly order, who are celebrating together an œcumenical council in this city, that they give heed to apply themselves assiduously to the praises of God; to offer up victims, praises,

(*) i. 17.

(†) i. 5.

(‡) Ps. cx. 10.

(§) Gal. v. 16.

and prayers; to celebrate the sacrifice of the mass on each Sunday at least, the day whereon God made the light, rose again from the dead, and poured forth the Holy Ghost upon the disciples; *making*, as the same Holy Ghost enjoins by the apostle, *supplications, prayers, intercessions, thanksgivings*,^(x) for our most holy lord the Pope, for the emperor, *for kings, and others who are placed in high stations*, and for all men, that *we may lead a quiet and peaceable life*,^(y) may enjoy peace, and see an increase of faith. Furthermore, it exhorts that they fast at least on every Friday, in memory of the passion of the Lord, and give alms to the poor: further, on every Thursday there shall be celebrated, in the cathedral church, the mass of the Holy Ghost, with the litanies and other prayers appointed for this end; and on the same day there shall be said, in the other churches, at least the litanies and prayers; and during the time that the sacred services are being performed, let there be no talking or conversing together, but with mouth and mind association with the celebrant. And forasmuch as *It behoveth bishops to be blameless, sober, chaste, ruling well their own household*^(z), (the Council) exhorts also that, above all, each observe sobriety at table, and moderation in diet; further, that, whereas idle conversations are often wont to arise there, the reading of the divine Scriptures be introduced, even at the tables of bishops; and let each teach and charge his servants not to be quarrelsome, given to wine, immodest, covetous, proud, blasphemous, and lovers of pleasures; in fine, let them shun vice and follow after virtue, and in dress, demeanour, and in all their actions show forth modesty, as becomes the servants of the servants of God.

Moreover, whereas it is the chief care, solicitude, and intention of this sacred and holy council, that, the darkness of heresies, which during so many years has covered the earth, being dispelled, the light, brightness, and purity of Catholic truth may, by the assistance of Jesus Christ, *who is the true light*,^(a) shine forth; and that those things which need reformation may be reformed; the said Synod exhorts all Catholics here assembled,

(x) 1 Tim. ii. 1.

(y) Ib. v. 2.

(z) 1 Tim. ii. 2, 4.

(a) John i. 5.

and to be assembled, and especially those skilled in sacred letters, that by sedulous meditation they ponder diligently within themselves, by what ways and means the intention of the Synod may be best carried out and obtain the desired effect; that, in the most prompt and prudent manner, the things to be condemned, may be condemned; and those to be approved of be approved; that so, throughout the whole world, all may, with one mouth, and with the same confession of faith, glorify God, and the Father of our Lord Jesus Christ.

And in delivering their sentiments, when the priests of the Lord are sitting together in the place of benediction, no one—agreeably to the statute of the council of Toledo^(b)—ought either to be boisterous by immoderate outcries, or to cause disturbance by tumult; none to be contentious with false, vain, or obstinate disputation; but let whatsoever is said be so tempered by the mildest utterance of the words spoken, that neither the hearers may be offended, nor the rectitude of a correct judgment be warped by the mind being troubled.

Furthermore, this sacred Synod has ordained and decreed, that if it should chance to happen that any do not sit in their due places, and (thus) deliver their sentiments, even under the word *Placet*, (*It pleaseth us*,) are present at the Congregations, and take part in any other act whatsoever during the council, none shall thereby be prejudiced, none acquire a new right.

INDICTION OF THE NEXT SESSION.

After this, the next Session was indicted for Thursday, the fourth of the ensuing February.

SESSION THE THIRD,

Celebrated on the fourth day of the month of February, in the year MDXLVI.

DECREE TOUCHING THE SYMBOL OF FAITH.

In the Name of the Holy and Undivided Trinity, Father, and Son, and Holy Ghost.

This sacred and holy, œcumenical, and general Synod of

(b) Conc. Tolet. ii. cap. 1.

Trent,—lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein,—considering the magnitude of the matters to be treated of, especially of those comprised under the two heads, of the extirpating of heresies, and the reforming of manners, for the sake of which chiefly It is assembled, and recognising with the apostles, that *Its wrestling is not against flesh and blood, but against the spirits of wickedness in the high places,*^(c) exhorts, with the same apostle, all and each, above all things, to be *strengthened in the Lord, and in the might of his power, in all things taking the shield of faith, wherewith they may be able to extinguish all the fiery darts of the most wicked one, and to take the helmet of salvation, with the sword of the spirit, which is the word of God.*^(d) Wherefore, that this its pious solicitude may begin and proceed by the grace of God, It ordains and decrees that, before all other things, a confession of faith is to be set forth; following herein the examples of the Fathers, who have been wont, in the most sacred councils,^(e) at the beginning of the Actions thereof, to oppose this shield against heresies; and with this alone, at times, have they drawn the unbelieving to the faith, overthrown heretics, and confirmed the faithful. For which cause, this council has thought good, that the Symbol of faith which the holy Roman Church makes use of,—as being that principle wherein all who profess the faith of Christ necessarily agree, and that firm and alone foundation *against which the gates of hell shall never prevail,*^(f)—be expressed in the very same words in which it is read in all the churches. Which Symbol is as follows: I believe in one God, the Father Almighty, maker of heaven and earth, of all things visible and invisible; and in one Lord Jesus Christ, the only-begotten Son of God, and born of the Father before all ages; God of God, light of light, true God of true God; begotten, not made, consubstantial with the Father, by whom all things were made: who for us men, and for our salvation, came down from the heavens, and was incarnate by the Holy Ghost of the

(c) Ephes. vi. 12.

(d) Ib. v. 10, 16, 17.

(e) Concil. Nicæn. Rom. I. sub. Julio I. Concil. Hippon. in prinæ; Concil. Constant. VI. act. 17.

(f) Matt. xvi. 18.

Virgin Mary, and was made man: crucified also for us under Pontius Pilate, he suffered and was buried; and he rose again on the third day, according to the Scriptures; and he ascended into heaven, sitteth at the right hand of the Father; and again he will come with glory to judge the living and the dead; of whose kingdom there shall be no end: and in the Holy Ghost the Lord, and the giver of life, who proceedeth from the Father and the Son; who with the Father and the Son together is adored and glorified; who spoke by the prophets: and one holy Catholic and Apostolic Church. I confess one baptism for the remission of sins; and I look for the resurrection of the dead, and the life of the world to come. Amen.

INDICTION OF THE NEXT SESSION.

The same sacred and holy, œcumenical, and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein,—understanding that many prelates in divers places are girt for their journey, and that some also are on their way hither; and considering that all that may be decreed by the said sacred Synod may seem to be in so much the greater estimation and honour with all men, as it shall have been sanctioned and confirmed by a more numerous and fuller council and attendance of Fathers, has resolved and decreed, that the next Session after the present be celebrated on the Thursday after *Lætare* Sunday next; but that, in the interim, the discussion and examination of those things which it shall seem fit to the said Synod to discuss and examine be not deferred.

SESSION THE FOURTH,

Celebrated on the eighth day of the month of April, in the year MDXLVI.

DECREE CONCERNING THE CANONICAL SCRIPTURES.

The sacred and holy, œcumenical, and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein,—keeping this

always in view, that, errors being removed, the purity itself of the Gospel be preserved in the Church ; which (Gospel), before promised through the prophets in the holy Scriptures, our Lord Jesus Christ, the Son of God, first promulgated with His own mouth, and then commanded to be preached by His Apostles to every creature, as the fountain of all, both saving truth, and moral discipline ;^(s) and seeing clearly that this truth and discipline are contained in the written books, and the unwritten traditions which, received by the Apostles from the mouth of Christ himself, or from the Apostles themselves, the Holy Ghost dictating, have come down even unto us, transmitted as it were from hand to hand ; (the Synod) following the examples of the orthodox Fathers, receives and venerates with an equal affection of piety, and reverence,^(h) all the books both of the Old and of the New Testament—seeing that one God is the author of both—as also the said traditions, as well those appertaining to faith as to morals, as having been dictated, either by Christ's own word of mouth, or by the Holy Ghost, and preserved in the Catholic Church by a continuous succession. And it has thought it meet that a list of the sacred books be inserted in this decree, lest a doubt may arise in any one's mind, which are the books that are received by this Synod. They are as set down here below : of the Old Testament: the five books of Moses, to wit, Genesis, Exodus, Leviticus, Numbers, Deuteronomy ; Josue, Judges, Ruth, four books of Kings, two of Paralipomenon, the first book of Esdras, and the second which is entitled Nehemias ; Tobias, Judith, Esther, Job, the Davidical Psalter,⁽ⁱ⁾ consisting of a hundred and fifty psalms ; the Proverbs, Ecclesiastes, the Canticle of Canticles, Wisdom, Ecclesiasticus, Isaias, Jeremias, with Baruch ; Ezechiel, Daniel ; the twelve minor prophets, to wit, Osee, Joel, Amos, Abdias, Jonas, Micheas, Nahum, Habacuc, Sophonias, Aggæus, Zacharias, Malachias ; two books of the Machabees, the first and the second. Of the New Testament: the four Gospels, according

(s) *Tamquam fontem omnis, et salutæ veritatæ, et morum disciplinæ.*

(h) *Pari pietatis affectu (sentiment), ac reverentia.*

(i) *Psalterium Davidicum, the Psalter called David's.*

to Matthew, Mark, Luke, and John; the Acts of the Apostles written by Luke the Evangelist; fourteen epistles of Paul the apostle, (one) to the Romans, two to the Corinthians, (one) to the Galatians, to the Ephesians, to the Philippians, to the Colossians, two to the Thessalonians, two to Timothy, (one) to Titus, to Philemon, to the Hebrews; two of Peter the apostle, three of John the apostle, one of the apostle James, one of Jude the apostle, and the Apocalypse of John the apostle. But if any one receive not, as sacred and canonical, the said books entire with all their parts, as they have been used to be read in the Catholic Church, and as they are contained in the old Latin vulgate edition; and knowingly and deliberately condemn the traditions aforesaid; let him be anathema. Let all, therefore, understand, in what order, and in what manner, the said Synod, after having laid the foundation of the Confession of faith, will proceed, and what testimonies and authorities^(k) it will mainly use in confirming dogmas, and in restoring morals in the Church.

DECREE CONCERNING THE EDITION, AND THE USE, OF THE SACRED BOOKS.

Moreover, the same sacred and holy Synod,—considering that no small utility may accrue to the Church of God, if it be made known which out of all the Latin editions, now in circulation, of the sacred books, is to be held as authentic,—ordains and declares, that the said old and vulgate edition, which, by the lengthened usage of so many ages, has been approved of in the Church, be, in public lectures, disputations, sermons and expositions, held as authentic; and that no one is to dare, or presume to reject it under any pretext whatever.

Furthermore, in order to restrain petulant spirits, It decrees, that no one, relying on his own skill, shall,—in matters of faith, and of morals pertaining to the edification of Christian doctrine,—wresting the sacred Scripture to his own senses, presume to interpret the said sacred Scripture contrary to that sense which holy mother Church,—whose it is to judge of the true sense and interpretation of the holy Scriptures,—hath held and doth hold;

(k) Præsidiis.

or even contrary to the unanimous consent of the Fathers; even though such interpretations were never (intended) to be at any time published. Contraveners shall be made known by their Ordinaries, and be punished with the penalties by law established.

And wishing, as is just, to impose a restraint, in this matter, also on printers, who now without restraint,—thinking, that is, that whatsoever they please is allowed them,—print, without the license of ecclesiastical superiors, the said books of sacred Scripture, and the notes and comments upon them of all persons indifferently, with the press oftentimes unnamed, often even fictitious, and what is more grievous still, without the author's name; and also keep for indiscriminate sale books of this kind printed elsewhere; (this Synod) ordains and decrees, that, henceforth, the sacred Scripture, and especially the said old and vulgate edition, be printed in the most correct manner possible; and that it shall not be lawful for any one to print, or cause to be printed, any books whatever, on sacred matters, without the name of the author; nor to sell them in future, or even to keep them, unless they shall have been first examined, and approved of, by the Ordinary; under pain of the anathema and fine imposed in a canon of the last Council of Lateran: and, if they be Regulars, besides this examination and approval, they shall be bound to obtain a license also from their own superiors, who shall have examined the books according to the form of their own statutes. As to those who lend, or circulate them in manuscript, without their having been first examined, and approved of, they shall be subjected to the same penalties as printers: and they who shall have them in their possession, or shall read them, shall, unless they discover the authors, be themselves regarded as the authors. And the said approbation of books of this kind shall be given in writing; and for this end it shall appear authentically at the beginning of the book, whether the book be written, or printed; and all this, that is, both the approbation and the examination, shall be done gratis, that so what ought to be approved, may be approved, and what ought to be condemned, may be condemned.

Besides the above, wishing to repress that temerity, by which the words and sentences of sacred Scripture are turned and

twisted to all sorts of profane uses, to wit, to things scurrilous, fabulous, vain, to flatteries, detractions, superstitions, impious and diabolical incantations, sorceries, and defamatory libels; (the Synod) commands and enjoins, for the doing away with this kind of irreverence and contempt, and that no one may henceforth dare in any way to apply the words of sacred Scripture to these and such like purposes; that all men of this description, profaners and violators of the word of God, be by the bishops restrained by the penalties of law, and others of their own appointment.

INDICTION OF THE NEXT SESSION.

Likewise, this sacred and holy Synod resolves and decrees, that the next ensuing Session be held and celebrated on the Thursday after the next most sacred festival of Pentecost.

SESSION THE FIFTH,

Celebrated on the seventeenth day of the month of June, in the year MDXLVI.

DECREE CONCERNING ORIGINAL SIN.

That our Catholic *faith, without which it is impossible to please God,*⁽¹⁾ may, errors being purged away, continue in its own perfect and spotless integrity, and that the Christian people may not *be carried about with every wind of doctrine;*^(m) whereas that old serpent, the perpetual enemy of mankind, amongst the very many evils with which the Church of God is in these our times troubled, has also stirred up not only new, but even old, dissensions touching original sin, and the remedy thereof; the sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the three same legates of the Apostolic See presiding therein,—wishing now to come to the reclaiming of the erring, and the confirming of the wavering,—following the testimonies of the sacred

(1) Hebr. xi. 6.

(m) Ephes. iv. 14.

Scriptures, of the holy Fathers, of the most approved councils, and the judgment and consent of the Church itself, ordains, confesses, and declares these things touching the said original sin :

1. If any one does not confess that the first man, Adam, when he had transgressed the commandment of God in Paradise, immediately lost the holiness and justice wherein he had been constituted ; and that he incurred, through the offence of that prevarication, the wrath and indignation of God, and consequently death, with which God had previously threatened him, and, together with death, captivity under his power who thenceforth *had the empire of death, that is to say, the devil,*⁽ⁿ⁾ and that the entire Adam, through that offence of prevarication, was changed, in body and soul, for the worse ; let him be anathema.

2. If any one asserts, that the prevarication of Adam injured himself alone, and not his posterity ; and that the holiness and justice, received of God, which he lost, he lost for himself alone, and not for us also ; or that he, being defiled by the sin of disobedience, has only transfused death, and pains of the body, into the whole human race, but not sin also, which is the death of the soul ; let him be anathema :—whereas he contradicts the apostle who says ; *By one man sin entered into the world, and by sin death, and so death passed upon all men, in whom all have sinned.*^(o)

3. If any one asserts, that this sin of Adam,—which in its origin is one, and being transfused into all by propagation, not by imitation, is in each one as his own,^(p)—is taken away either by the powers of human nature, or by any other remedy than the merit of the *one mediator, our Lord Jesus Christ,*^(q) *who hath reconciled us to God in his own blood, made unto us justice, sanctification, and redemption ;*^(r) or if he denies that the said merit of Jesus Christ is applied, both to adults and to infants, by the sacrament of baptism rightly administered in the form of the Church ; let him be anathema : *For there is no other name under heaven given to men, whereby we must be*

(n) Hebr. ii. 14.

(o) Rom. v. 12.

(p) Inest unicuique proprium.

(q) 1 Tim. ii. 5.

(r) 1 Cor. i. 30.

saved.^(s) Whence that voice; *Behold the lamb of God, behold him who taketh away the sins of the world;*^(t) and that other; *As many as have been baptized, have put on Christ.*^(v)

4. If any one denies, that infants, newly born from their mothers' wombs, even though they be sprung from baptized parents, are to be baptized; or says that they are *baptized indeed for the remission of sins,*^(w) but that they derive nothing of original sin from Adam, which has need of being expiated by the laver of regeneration for the obtaining life everlasting,—whence it follows as a consequence, that in them the form of baptism, *for the remission of sins,* is understood to be not true, but false,—let him be anathema. For that which the apostle has said, *By one man sin entered into the world, and by sin death, and so death passed upon all men in whom all have sinned,*^(z) is not to be understood otherwise than as the Catholic Church spread everywhere hath always understood it. For, by reason of this rule of faith, from a tradition of the apostles, even infants, who could not as yet commit any sin of themselves, are for this cause truly *baptized for the remission of sins*, that in them that may be cleansed away by regeneration, which they have contracted by generation. *For, unless a man be born again of water and the Holy Ghost, he cannot enter into the kingdom of God.*^(r)

5. If any one denies, that, by the grace of our Lord Jesus Christ, which is conferred in baptism, the guilt of original sin is remitted; or even asserts that the whole of that which has the true and proper nature of sin is not taken away; but says that it is only rased,^(z) or not imputed; let him be anathema. For, in those who are *born again*, there is nothing that God hates; because, *There is no condemnation to those who are truly buried together with Christ by baptism into death;*^(a) *who walk not according to the flesh, but, putting off the old man, and putting on the new who is created according to God,*^(b) are made inno-

(s) Acts iv. 2.

(t) John i. 29.

(v) Gal. iii. 27.

(w) Acts ii. 38.

(x) Rom. v. 12.

(r) John iii. 5.

(z) Radi, cancelled.

(a) Rom. viii. 1; vi. 4.

(b) Ephes. iv. 22. 24.

cent, immaculate, pure, harmless, and beloved of God, *heirs indeed of God, but joint heirs with Christ*; ^(c) so that there is nothing whatever to retard their entrance into heaven. But this holy synod confesses and is sensible, that in the baptized there remains concupiscence, or an incentive (to sin); ^(d) which, whereas it is left for our exercise, ^(e) cannot injure those who consent not, but resist manfully by the grace of Jesus Christ; yea, he who shall have *striven lawfully shall be crowned*. ^(f) This concupiscence, which the apostle sometimes calls sin, ^(g) the holy Synod declares that the Catholic Church has never understood it to be called sin, as being truly and properly sin in those *born again*, but because it is of sin, and inclines to sin. And if any one is of a contrary sentiment, let him be anathema.

This same holy Synod doth nevertheless declare, that it is not its intention to include in this decree, where original sin is treated of, the blessed and immaculate Virgin Mary, the mother of God; but that the constitutions of Pope Sixtus IV., ^(h) of happy memory, are to be observed, under the pains contained in the said constitutions, which it renews.

DECREE ON REFORMATION.

CHAPTER I.

On the Institution of a Lectureship of Sacred Scripture, and of the liberal arts.

The same sacred and holy Synod, adhering to the pious constitutions of the Sovereign Pontiffs, and of approved councils, ⁽ⁱ⁾ and embracing and adding to them; that the heavenly treasure of the sacred books, which the Holy Ghost has with the greatest liberality delivered unto men, may not lie neglected, hath or-

(c) Rom. viii. 17.

(d) Fomitem.

(e) Ad agonem, to be wrestled with. (f) 2 Tim. ii. 5. (g) Rom. vi.—viii.

(h) Extravag. Cum præexcellis, et Grave nimis l et 2 de Reliq. et venerat. sanct. int. comm.

(i) Concil. Later. sub Innœ. iii. cap. ii; Cabilon. ii. cap. 3. Dist. 37. c. Do quibusdam.

daigned and decreed, that,—in those churches where there is found to be a prebend, prestimony, or other stipend under whatsoever name, destined for lecturers in sacred theology,—the bishops, archbishops, primates, and other Ordinaries of those places shall force and compel, even by the subtraction of the fruits, those who hold such prebend, prestimony, or stipend, to expound and interpret the said sacred Scripture, either personally, if they be competent, or otherwise by a competent substitute, to be chosen by the said bishops, archbishops, primates, and other Ordinaries of those places. But, for the future, let not such prebend, prestimony, or stipend be bestowed save on competent persons, and those who can themselves discharge that office; and otherwise let the provision made be null and void.

But in metropolitan, or cathedral churches, if the city be distinguished and populous,—and also in collegiate churches which are in any large town, even though they may not belong to any diocese, provided the clergy be numerous there,—wherein there is no such prebend, prestimony, or stipend set aside for this purpose, let the first prebend that shall become vacant in any way soever, except by resignation, and to which some other incompatible duty is not attached, be understood to be *ipso facto* set apart and devoted to that purpose for ever. And in case that in the said churches there should not be any, or not any sufficient, prebend, let the metropolitan, or the bishop himself, by assigning thereunto the fruits of some simple benefice,—the obligations thereto belonging being nevertheless discharged,—or by the contributions of the beneficiaries of his city and diocese, or otherwise, as may be most convenient, provide in such wise, with the advice of his chapter, as that the said lecture of sacred Scripture be had; yet so that whatsoever other lectures there may be, whether established by custom, or in any other way, be not by any means therefore omitted.

As to churches, whose annual revenues are slight, and where the number of the clergy and laity is so small, that a lectureship of Theology cannot be conveniently had therein, let them at least have a master—to be chosen by the bishop, with the advice of the chapter—to teach grammar gratuitously to clerics, and other poor scholars, that so they may afterwards, with God's blessing,

pass on to the said study of sacred Scripture. And for this end, either let the fruits of some simple benefice be assigned to that master of grammar,—which fruits he shall receive so long as he continues teaching, provided however, that the said benefice be not deprived of the duty due to it,—or let some suitable remuneration be paid him out of the episcopal or capitular revenue ;^(k) or in fine let the bishop himself devise some other method suited to his church and diocese ; that so this pious, useful, and profitable provision may not be, under any colourable pretext whatever, neglected.

In the monasteries also of monks, let there be in like manner a lecture on sacred Scripture, where this can be conveniently done : wherein if the abbots be negligent, let the bishops of the places, as the delegates herein of the Apostolic See, compel them thereto by suitable remedies. And in the convents of other Regulars, in which studies can conveniently flourish, let there be in like manner a lectureship of sacred Scripture ; which lectureship shall be assigned, by the general or provincial chapters, to the more able masters.

In the public colleges also, wherein a lectureship so honourable, and the most necessary of all, has not hitherto been instituted, let it be established by the piety and charity of the most religious princes and governments, for the defence and increase of the Catholic faith, and the preservation and propagation of sound doctrine ; and where such lectureship, after being once instituted, has been neglected, let it be restored. And that impiety may not be disseminated under the semblance of piety, the same holy Synod ordains, that no one be admitted to this office of lecturing, whether in public or in private, without having been previously examined and approved of by the bishop of the place, as to his life, conversation, and knowledge : which however is not to be understood of lecturers in convents of monks. Furthermore, those who are teaching the said sacred Scripture, as long as they teach publicly in the schools, as also the scholars who are studying in those schools, shall fully enjoy

(k) Ex capitulari, vel episcopali mensa.

and possess, though absent, all the privileges accorded by common law, as regards the reception of the fruits of their prebends and benefices.

CHAPTER II.

On Preachers of the word of God, and on Questors of alms.

But seeing that the preaching of the Gospel is no less necessary to the Christian commonwealth than the reading thereof; and whereas this is the principal duty of bishops; the same holy Synod hath resolved and decreed, that all bishops, archbishops, primates, and all other prelates of the churches be bound personally—if they be not lawfully hindered—to preach the holy Gospel of Jesus Christ. But if it should happen that bishops, and the others aforesaid, be hindered by any lawful impediment, they shall be bound, in accordance with the form prescribed by the general Council (of Lateran), to appoint fit persons to discharge wholesomely this office of preaching. But if any one through contempt do not execute this,⁽¹⁾ let him be subjected to rigorous punishment.

Archpriests, curates, and all those who in any manner soever hold any parochial, or other, churches, which have the cure of souls, shall, at least on the Lord's days, and solemn feasts, either personally, or if they be lawfully hindered, by others who are competent, feed the people committed to them, with wholesome words, according to their own capacity, and that of their people; by teaching them the things which it is necessary for all to know unto salvation, and by announcing to them with briefness and plainness of discourse, the vices which they must avoid, and the virtues which they must follow after, that they may escape everlasting punishment, and obtain the glory of heaven. And if any one of the above neglect to discharge this duty,—even though he may plead, on whatsoever ground, that he

(1) Hoc adimplere contempserit.

is exempt from the jurisdiction of the bishop, and even though the churches may be, in whatsoever way, said to be exempted, or haply annexed or united to a monastery that is even out of the diocese,—let not the watchful pastoral solicitude of the bishops be wanting, provided those churches be really within their diocese; lest that word be fulfilled; *The little ones have asked for bread, and there was none to break it unto them.*^(m) Wherefore, if, after having been admonished by the bishop, they shall neglect this their duty for the space of three months, let them be compelled by ecclesiastical censures, or otherwise, at the discretion of the said bishop; in such wise that even—if this seem to him expedient—a fair remuneration be paid, out of the fruits of the benefices, to some other person to discharge that office, until the principal himself repenting shall fulfil his own duty.

But should there be found to be any parochial churches, subject to monasteries which are not in any diocese, if the abbots and Regular prelates be negligent in the matters aforesaid, let them be compelled thereto by the metropolitans, in whose provinces the said dioceses are situated, as the delegates for that end of the Apostolic See; nor let custom, or exemption, or appeal, or reclamation, or action of recovery⁽ⁿ⁾ be of effect to impede the execution of this decree; until by a competent judge,—who shall proceed summarily, and examine only into the truth of the (matter of) fact,—the case shall have been taken cognizance of, and decided.

Regulars, of whatsoever order they may be, may not preach even in the churches of their own orders, unless they have been examined and approved of as regards their life, manners, and knowledge, by their own superiors, and with his license; with which license they shall be bound to present themselves personally before the bishops, and beg a blessing from them, before they begin to preach. But, (to preach) in churches which are not those of their own orders, besides the license of their own superiors, they shall be obliged to have also the license of the bishop, without which they may not on any account preach in

(m) Lament. iv. 4.

(n) Recursus.

the said churches which belong not to their own orders: but bishops shall grant the said license gratuitously.

But if, which God forbid, a preacher should spread errors, or scandals, amongst the people, let the bishop interdict his preaching, even though he preach in a monastery of his own, or of another, order: whereas, if he preach heresies, let him proceed against him according to the appointment of the law, or the custom of the place, even though the said preacher should plead that he is exempted by a general, or special, privilege: in which case the bishop shall proceed by apostolic authority, and as the delegate of the Apostolic See. But let bishops be careful, that a preacher be not annoyed, either by false accusations, or in any other way calumniously; or have any just cause of complaint against them.

Furthermore, let bishops be on their guard not to permit any one,—whether of those, who, being Regulars in name, live nevertheless out of their monasteries, and the obedience of their religious institute, or secular priests, unless they be known to them, and are of approved morals and doctrine,—to preach in their own city, and diocese, even under the pretext of any privilege whatsoever; until the holy Apostolic See has been consulted by the said bishops thereon; from which See it is not likely that unworthy persons can extort any such privileges, except by suppressing the truth, or by uttering what is false.

Those who quest for alms—who are also commonly called Questors—of whatsoever condition they may be, shall not in any way presume, either personally, or by another, to preach; and Contraveners shall, any privileges notwithstanding, be wholly restrained by suitable remedies, by the bishops and Ordinaries of the places.

INDICTION OF THE NEXT SESSION.

The sacred and holy Synod also ordains and decrees, that the first ensuing Session be held and celebrated on the Thursday after the feast of the blessed apostle James.

The Session was afterwards prorogued to the thirteenth of January, MDXLVII.

SESSION THE SIXTH,

*Celebrated on the thirteenth day of the month of January,
MDXLVII.*

DECREE ON JUSTIFICATION.

Proëm.

Whereas there is, at this time, not without the shipwreck of many souls, and grievous detriment to the unity of the Church, a certain erroneous doctrine disseminated touching Justification; the sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the most reverend lords, Giammaria del Monte, bishop of Palæstrina, and Marcellus of the title of the Holy Cross in Jerusalem, priest, cardinals of the holy Roman Church, and legates apostolic *a latere*, presiding therein, in the name of our most holy father and lord in Christ, Paul III., by the providence of God, Pope,—purposes, unto the praise and glory of Almighty God, the tranquilising of the Church, and the salvation of souls, to expound to all the faithful of Christ the true and sound doctrine touching the said Justification; which (doctrine) the sun of justice, Christ Jesus, *the author and finisher of our faith*^(o) taught, which the apostles transmitted, and which the Catholic Church, the Holy Ghost reminding her thereof,^(p) has always retained; most strictly forbidding that any henceforth presume to believe, preach, or teach, otherwise than as by this present decree is defined and declared.

CHAPTER I.

On the Inability of Nature and of the Law to justify man.

The holy Synod declares first, that, for the correct and sound understanding of the doctrine of Justification, it is necessary

(o) Hebr. xii. 2.

(p) John xiv. 26.

that each one recognise and confess, that, whereas all men had lost their innocence in the prevarication of Adam—having become unclean,^(q) and, as the apostle says, *by nature children of wrath*,^(r) as (this Synod) has set forth in the decree on original sin,—they were so far *the servants of sin*,^(s) and under the power of the devil and of death, that not the Gentiles only by the force of nature, but not even the Jews by the very letter itself of the law of Moses, were able to be liberated, or to arise, therefrom; although free will, attenuated as it was in its powers, and bent down, was by no means extinguished in them.

CHAPTER II.

On the dispensation and mystery of Christ's advent.

Whence it came to pass, that the heavenly Father, *the father of mercies and the God of all comfort*,^(t) when that blessed *fulness of the time was come*,^(v) sent unto men, Jesus Christ, *His own Son*—who had been, both before the Law, and during the time of the Law, to many of the holy fathers announced and promised—that *He might both redeem the Jews who were under the Law*,^(w) and that *the Gentiles, who followed not after justice*, might attain to justice,^(x) and that all men might receive the adoption of sons. Him God hath *proposed* as a propitiator, *through faith in his blood*,^(y) *for our sins, and not for our sins only, but also for those of the whole world*.^(z)

CHAPTER III.

Who are justified through Christ.

But, though *He died for all*,^(a) yet do not all receive the benefit of His death, but those only unto whom the merit of His

(q) Is. lxiv. 6.

(r) Ephes. ii. 3.

(s) Rom. vi. 17.

(t) 2 Cor. i. 3.

(v) Gal. iv. 4.

(w) Ib. v. 4.

(x) Rom. ix. 30.

(y) Rom. iii. 25.

(z) 1 John ii. 2.

(a) 2 Cor. v. 15.

passion is communicated. For as in truth men, if they were not born propagated of the seed of Adam, would not be born unjust,—seeing that, by that propagation, they contract through him, when they are conceived, injustice as their own,—so, if they were not born again in Christ, they never would be justified; seeing that, in that new birth, there is bestowed upon them, through the merit of His passion, the grace whereby they are made just. For this benefit the apostle exhorts us, evermore to give thanks to the Father, who hath made us worthy to be partakers of the lot of the saints in light, and hath delivered us from the power of darkness, and hath translated us into the Kingdom of the Son of his love, in whom we have redemption, and remission of sins.^(b)

CHAPTER IV.

A description is introduced of the Justification of the impious, and of the manner thereof under the law of grace.

By which words, a description of the Justification of the impious is indicated,—as being a translation, from that state wherein man is born a child of the first Adam, to the state of grace, and of the adoption of the sons of God,^(c) through the second Adam, Jesus Christ, our Saviour. And this translation, since the promulgation of the Gospel, cannot be effected, without the laver of regeneration, or the desire thereof, as it is written; *unless a man be born again of water and the Holy Ghost, he cannot enter into the Kingdom of God.*^(d)

CHAPTER V.

On the necessity, in adults, of preparation for Justification, and whence it proceeds.

The Synod furthermore declares, that, in adults, the beginning of the said Justification is to be derived from the prevenient

(b) Coloss. i. 12–14.

(c) Rom. v. 23.

(d) John iii. 5.

grace of God, through Jesus Christ, that is to say, from His vocation, whereby, without any merits existing on their parts, they are called; that so they, who by sins were alienated from God, may be disposed through His quickening and assisting grace, to *convert* themselves to their own justification, by freely assenting to and co-operating with that said grace: in such sort that, while God touches the heart of man by the illumination of the Holy Ghost, neither is man himself utterly without doing anything while he receives that inspiration, forasmuch as he is also able to reject it; yet is he not able, by his own free will, without the grace of God, to move himself unto justice in His sight. Whence, when it is said in the sacred writings: *Turn ye to me, and I will turn to you,*^(e) we are admonished of our liberty; and when we answer; *Convert us, O Lord, to thee, and we shall be converted,*^(f) we confess that we are prevented^(g) by the grace of God.

CHAPTER VI.

The manner of Preparation.

Now they (adults) are disposed unto the said justice, when, excited and assisted by divine grace, conceiving *faith by hearing*,^(h) they are freely moved towards God, believing those things to be true which God has revealed and promised,—and this especially, that God justifies the impious *by His grace, through the redemption that is in Christ Jesus*;⁽ⁱ⁾ and when, understanding themselves to be sinners, they, by turning themselves, from the fear of divine justice whereby they are profitably agitated, to consider the mercy of God, are raised unto hope, confiding that God will be propitious to them for Christ's sake; and they begin to love Him as the fountain of all justice; and are therefore moved against sins by a certain hatred and detestation, to wit, by that penitence which must be performed before baptism: lastly, when they purpose to receive baptism,

(e) Zach. i. 3.

(f) Lam. v. 21.

(g) Præveniri.

(h) Rom. x. 17.

(i) Rom. iii. 24.

to begin a new life, and to *keep the commandments* of God. Concerning this disposition it is written; *He that cometh to God, must believe that he is, and is a rewarder to them that seek him*; ^(k) and, *Be of good faith, son, thy sins are forgiven thee*; ^(l) and, *The fear of the Lord driveth out sin*; ^(m) and, *Do penance, and be baptized every one of you in the name of Jesus Christ, for the remission of your sins, and you shall receive the gift of the Holy Ghost*; ⁽ⁿ⁾ and, *Going, therefore, teach ye all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost*; ^(o) finally, *Prepare your hearts unto the Lord*. ^(p)

CHAPTER VII.

What the Justification of the impious is, and what are the causes thereof.

This disposition, or preparation, is followed by Justification itself, which is not remission of sins merely, but also the sanctification and renewal of the inward man, through the voluntary reception of the grace, and of the gifts, whereby man of unjust becomes just, and of an enemy a friend, that so he may be *an heir according to hope of life everlasting*. ^(q)

Of this Justification the causes are these: the final cause indeed is the glory of God and of Jesus Christ, and life everlasting; while the efficient cause is a merciful God who *washes and sanctifies* ^(r) gratuitously, *signing*, and anointing with the holy *Spirit of promise, who is the pledge of our inheritance*; ^(s) but the meritorious cause is His most beloved only-begotten, our Lord Jesus Christ, who, when we were enemies, *for the exceeding charity wherewith he loved us*, ^(t) merited Justification for us by His most holy Passion on the wood of the cross, and made satisfaction for us unto God the Father; the instru-

(k) Hebr. xi. 6.

(l) Matth. ii. 5.

(m) Eccli. i. 27.

(n) Acts ii. 38.

(o) Matth. xxviii. 19.

(p) 1 Kings vii. 3.

(q) Titus iii. 7.

(r) 1 Cor. vi. 11.

(s) Ephes. i. 13, 14.

(t) Ephes. ii. 4.

mental cause is the sacrament of baptism, which is the sacrament of faith, without which (faith) no man was ever justified ;^(v) lastly, the alone formal cause is the justice of God, not that whereby He Himself is just, but that whereby He maketh us just, that, to wit, with which *we* being endowed by Him, *are renewed in the spirit of our mind*,^(w) and we are not only reputed, but are truly called, and are, just, receiving justice within us, each one according to his own measure, *which the Holy Ghost distributes to every one as He wills*,^(x) and according to each one's proper^(y) disposition and co-operation. For, although no one can be just, but he to whom the merits of the Passion of our Lord Jesus Christ are communicated, yet is this done in the said justification of the impious, when by the merit of that same most holy Passion, *the charity of God is poured forth*, by the Holy Spirit, *in the hearts*^(z) of those that are justified, and is inherent therein : whence, man, through Jesus Christ, in whom he is ingrafted, receives, in the said justification, together with the remission of sins, all these (gifts) infused at once, faith, hope, and charity. For faith, unless hope and charity be added thereto, neither unites man perfectly with Christ, nor makes him a living member of His body. For which reason it is most truly said, that *Faith without works is dead* and profitless ;^(a) and, *In Christ Jesus neither circumcision, availeth anything, nor uncircumcision, but faith which worketh by charity*.^(b) This faith, Catechumens beg of the Church—agreeably to a tradition of the apostles—previously to the sacrament of Baptism ; when they beg for the faith which bestows life everlasting, which, without hope and charity, faith cannot bestow : whence also do they immediately hear that word of Christ ; *If thou wilt enter into life, keep the commandments*.^(c) Wherefore, when receiving true and Christian justice, they are bidden, immediately on being born again, to preserve it pure and spotless, as *the first robe*^(d) given them through Jesus Christ in lieu of that which

(v) Hebr. xi.

(w) Ephes. iv. 23.

(x) 1 Cor. xii. 2.

(y) Propriam, own, peculiar.

(z) Rom. v. 5.

(a) Otiosa, idle, James ii. 20.

(b) Ephes. v. 6.

(c) Matth. xix. 17.

(d) Luke xv. 22.

Adam, by his disobedience, lost for himself and for us, that so they may bear it before the judgment-seat of our Lord Jesus Christ, and may have life everlasting.

CHAPTER VIII.

In what manner it is to be understood, that the impious is justified by faith, and gratuitously.

And whereas the Apostle saith, that man is *justified by faith and freely*,^(e) those words are to be understood in that sense which the perpetual consent of the Catholic Church hath held and expressed; to wit, that we are therefore said to be *justified by faith*, because faith is the beginning of human salvation, the foundation, and the root of all Justification; *without which it is impossible to please God*,^(f) and to come unto the fellowship of His sons: but we are therefore said to be justified *freely*, because that none of those things which precede justification—whether faith or works—merit the grace itself of justification. For, *if it be a grace, it is not now by works*, otherwise, as the same Apostle says, *grace is no more grace*.^(g)

CHAPTER IX.

Against the vain confidence of Heretics.

But, although it is necessary to believe that sins neither are remitted, nor ever were remitted save gratuitously by the mercy of God for Christ's sake; yet is it not to be said, that sins are forgiven, or have been forgiven, to any one who boasts of his confidence and certainty of the remission of his sins, and rests on that alone; seeing that it may exist, yea does in our day exist, amongst heretics and schismatics; and with great vehemence is this vain confidence, and one alien from all godliness, preached up in opposition to the Catholic Church. But neither

(e) Rom. iii. 4.

(f) Hebr. xi. 6.

(g) Rom. xi. 6.

is this to be asserted,—that they who are truly justified must needs, without any doubting whatever, settle within themselves that they are justified, and that no one is absolved from sins and justified, but he that believes for certain that he is absolved and justified; and that absolution and justification are effected by this faith alone: as though whoso has not this belief, doubts of the promises of God, and of the efficacy of the death and resurrection of Christ. For even as no pious person ought to doubt of the mercy of God, of the merit of Christ, and of the virtue and efficacy of the sacraments, even so each one, when he regards himself, and his own weakness and indisposition, may have fear and apprehension touching his own grace; seeing that no one can know with a certainty of faith, which cannot be subject to error,^(h) that he has obtained the grace of God.

CHAPTER X.

On the increase of Justification received.

Having, therefore, been thus justified, and made the friends and domestics of God,⁽ⁱ⁾ advancing *from virtue to virtue*,^(k) they are *renewed*, as the Apostle says, *day by day*; ^(l) that is, *by mortifying the members of their own flesh*,^(m) and *by presenting them as instruments of justice unto sanctification*,⁽ⁿ⁾ they, through the observance of the commandments of God and of the Church, faith co-operating with good works, increase in that justice which they have received through the grace of Christ, and are still further justified, as it is written; *He that is just, let him be justified still*; ^(o) and again, *Be not afraid to be justified even to death*; ^(p) and also, *Do you see that by works a man is justified, and not by faith only*.^(q) And this increase of justification holy Church begs, when she prays, “Give unto us, O Lord, increase of faith, hope, and charity.”^(r)

(h) Cui non potest subesse falsum. (i) Ephes. ii. 19. (k) Ps. lxxxiii. 8.

(l) 2 Cor. iv. 16.

(m) Coloss. iii. 5.

(n) Rom. vi. 13, 19.

(o) Apoc. xxii. 11.

(p) Eccli. xviii. 22.

(q) James ii. 24.

(r) Dom. 13. post Pentecost.

CHAPTER XI.

On keeping the Commandments, and on the necessity and possibility thereof.

But no one, how much soever justified, ought to think himself exempt from the observance of the commandments ; no one ought to make use of that rash saying, one prohibited by the Fathers under an anathema,—that the observance of the commandments of God is impossible for one that is justified. For God commands not impossibilities, but, by commanding, both admonishes thee to do what thou art able, and to pray for what thou art not able (to do),^(t) and aids thee that thou mayest be able ; *whose commandments are not heavy ;*^(t) *whose yoke is sweet and whose burthen light.*^(v) For, whoso are the sons of God, love Christ ; but *they who love him, keep his commandments,*^(v) as Himself testifies ; which, assuredly, with the divine help, they can do. For, although, during this mortal life, men, how holy and just soever, at times fall into at least light and daily sins, which are also called venial, not therefore do they cease to be just. For that cry of the just, *Forgive us our trespasses*, is both humble and true. And for this cause, the just themselves ought to feel themselves the more obliged to walk in the way of justice, in that, *being already freed from sins, but made servants of God,*^(x) they are able, *living soberly, justly, and godly,*^(y) to proceed onwards *through Jesus Christ, by whom they have had access unto this grace.*^(z) For God forsakes not those who have been once justified by His grace, unless he be first forsaken by them. Wherefore, no one ought to flatter himself up with faith alone,^(s) fancying that by faith alone he is made an heir, and will obtain the inheritance, even though *he suffer not with Christ, that so he may be also glori-*

(s) St. Aug. De Nat. et gr. c. 43.

(t) 1 John v. 3.

(v) Matth. xi. 30.

(w) Sermones, words, John xiv. 15.

(x) Rom. vi. 18.

(y) Titus ii. 12.

(z) Rom. v. 2.

(s) Nemo sibi in sola fide blandiri debet, no one ought to rely on faith alone.

fied with him.^(b) For even Christ Himself, as the Apostle saith, *Whereas he was the son of God, learned obedience by the things which he suffered, and being consummated, he became, to all who obey him, the cause of eternal salvation.*^(c) For which cause the same Apostle admonishes the justified, saying; *Know you not that they that run in the race, all run indeed, but one receiveth the prize? So run that you may obtain. I therefore so run, not as at an uncertainty: I so fight, not as one beating the air, but I chastise my body, and bring it into subjection; lest perhaps, when I have preached to others, I myself should become a cast-away.*^(d) So also the prince of the apostles, Peter; *Labour the more that by good works you may make sure your calling and election. For doing those things, you shall not sin at any time.*^(e) From which it is plain, that those are opposed to the orthodox doctrine of religion, who assert that the just man sins, venially at least, in every good work; or, which is yet more insupportable, that he merits eternal punishments; as also those who state, that the just sin in all their works, if, in those works, they, together with this aim principally that God may be gloried, have in view also the eternal reward, in order to excite their sloth, and to encourage themselves *to run in the course*: whereas it is written, *I have inclined my heart to do all thy justifications for the reward:*^(f) and, concerning Moses, the Apostle saith, that he *looked unto the reward.*^(g)

CHAPTER XII.

That a rash presumptuousness in the matter of Predestination is to be avoided.

No one, moreover, so long as he is in this mortal life, ought so far to presume as regards the secret mystery of divine predestination, as to determine for certain that he is assuredly in

(b) Rom. viii. 17.

(e) 2 Peter i. 10.

(c) Hebr. v. 8, 9.

(f) Ps. cxviii. 112.

(d) 1 Cor. ix. 24, 26, 27.

(g) Hebr. xi. 26.

the number of the predestinate ; as if it were true, that he that is justified, either cannot sin any more, or, if he do sin, that he ought to promise himself an assured repentance ; for except by special revelation, it cannot be known whom God hath chosen unto Himself.

CHAPTER XIII.

On the gift of Perseverance.

So also as regards the gift of perseverance, of which it is written, *He that shall persevere to the end, he shall be saved* :^(h)—which gift cannot be derived from any other but Him, who is able to establish him who standeth⁽ⁱ⁾ that he stand perseveringly, and to restore him who falleth :—let no one herein promise himself any thing as certain with an absolute certainty ; though all ought to place and repose a most firm hope in God's help. For God, unless men be themselves wanting to His grace, *as he has begun the good work, so will he perfect it, working (in them) to will and to accomplish*.^(k) Nevertheless, let those who *think themselves to stand, take heed lest they fall*,^(l) and, *with fear and trembling work out their salvation*,^(m) in labours, in watchings, in almsdeeds, in prayers and oblations, in fastings and chastity : for, knowing that *they are born again unto a hope of glory*,⁽ⁿ⁾ but not as yet unto glory, they ought to fear for the combat which yet remains with the flesh, with the world, with the devil, wherein they cannot be victorious, unless they be with God's grace, obedient to the Apostle, who says ; *We are debtors, not to the flesh, to live according to the flesh ; for if you live according to the flesh, you shall die ; but if by the spirit you mortify the deeds of the flesh, you shall live*.^(o)

(h) Matth. xxiv. 13.

(i) Rom. xiv. 4.

(k) Philipp. i. 6 ; ii. 13.

(l) 1 Cor. x. 12.

(m) Philipp. ii. 12.

(n) 1 Peter i. 3.

(o) Rom. viii. 12, 13.

CHAPTER XIV.

On the fallen, and their restoration.

As regards those who, by sin, have fallen from the received grace of Justification, they may be again justified, when, God exciting them, through the sacrament of Penance they shall have attained to the recovery, by the merit of Christ, of the grace lost: for this manner of Justification is of the fallen the reparation: which the holy Fathers have aptly called a second plank after the shipwreck of grace lost.^(p) For, on behalf of those who fall into sins after baptism, Christ Jesus instituted the sacrament of Penance, when He said, *Receive ye the Holy Ghost, whose sins you shall forgive, they are forgiven them, and whose sins you shall retain, they are retained.*^(q) Whence it is to be taught, that the penitence of a Christian, after his fall, is very different from that at (his) baptism; and that therein are included not only a cessation from sins, and a detestation thereof, or, *a contrite and humble heart*,^(r) but also the sacramental confession of the said sins,—at least in desire, and to be made in its season,—and sacerdotal absolution; and likewise satisfaction by fasts, alms, prayers, and the other pious exercises of a spiritual life; not indeed for the eternal punishment,—which is, together with the guilt, remitted, either by the sacrament, or by the desire of the sacrament,—but for the temporal punishment, which, as the sacred writings teach, is not always wholly remitted,^(s) as is done in baptism, to those who, ungrateful to the grace of God which they have received, have *grieved the Holy Spirit*,^(t) and have not feared *to violate the temple of God*.^(u) Concerning which penitence it is written; *Be mindful whence thou art fallen; do penance, and do the first works.*^(v) And again; *The sorrow that is according to*

^(p) Hieron. Ep. ad Demetr.^(q) John xx. 22, 23.^(r) Ps. l. 19.^(s) Ephes. iv. 30.^(t) 1 Cor. iii. 17.^(v) Apoc. ii. 5.

God worketh penance steadfast unto salvation.^(v) And again;
Do penance, and bring forth fruits worthy of penance.^(z)

CHAPTER XV.

That, by every mortal sin, grace is lost, but not faith.

In opposition also to the subtle wits of certain men, who, *by pleasing speeches and good words, seduce the hearts of the innocent,*^(v) it is to be maintained, that the received grace of Justification is lost, not only by infidelity whereby even faith itself is lost, but also by any other mortal sin whatever, though faith be not lost; thus defending the doctrine of the divine law, which excludes from the kingdom of God not only the unbelieving, but the faithful also (who are) *fornicators, adulterers, effeminate, liars with mankind, thieves, covetous, drunkards, railers, extortioners,*^(z) and all others who commit deadly sins; from which, with the help of divine grace, they can refrain, and on account of which they are separated from the grace of Christ.

CHAPTER XVI.

On the fruit of Justification, that is, on the merit of good works, and on the nature of that merit.

Before men, therefore, who have been justified in this manner,—whether they have preserved uninterruptedly the grace received, or whether they have recovered it when lost,—are to be set the words of the Apostle: *Abound in every good work, knowing that your labour is not in vain in the Lord;*^(a) *for God is not unjust, that he should forget your work, and the love which you have shown in his name;*^(b) and, *do not lose your confidence, which hath a great reward.*^(c) And, for this cause, life eternal is to be proposed to those working well unto

(w) 2 Cor. vii. 10.

(x) Matth. iii. 2.

(y) Rom. xvi. 18.

(z) 1 Cor. vi. 9, 10.

(a) 1 Cor. xv. 58.

(b) Hebr. vi. 10.

(c) Ib. x. 35.

the end,^(d) and hoping in God, both as a grace mercifully promised to the sons of God through Jesus Christ, and as a reward which is according to the promise of God Himself, to be faithfully rendered to their good works and merits. For this is that *crown of justice* which the Apostle declared was, after his *fight and course, laid up for him, to be rendered to him by the just judge, and not only to him, but also to all that love his coming.*^(e) For, whereas Jesus Christ Himself continually infuses his virtue^(f) into the said justified,—as the head into the members, and the vine into the branches,—and this virtue always precedes and accompanies and follows their good works, which without it could not in any wise be pleasing and meritorious before God,—we must believe that nothing further is wanting to the justified, to prevent their being accounted to have, by those very works which have been done in God, fully satisfied the divine law according to the state of this life, and to have truly merited eternal life, to be obtained also in its (due) time, if so be, however, that they depart in grace: seeing that Christ, our Saviour, saith: *If any one shall drink of the water that I will give him, he shall not thirst for ever; but it shall become in him a fountain of water springing up unto life everlasting.*^(g) Thus, neither is our own justice established as our own as from ourselves;^(h) nor is the justice of God ignored or repudiated: for that justice which is called ours, because that we are justified from its being inherent in us, that same is (the justice) of God, because that it is infused into us of God, through the merit of Christ. Neither is this to be omitted,—that although, in the sacred writings, so much is attributed to good works, that Christ promises, that even *he that shall give a drink of cold water to one of his least ones, shall not lose his reward;*⁽ⁱ⁾ and the Apostle testifies that, *That which is at present momentary and light of our tribulation, worketh for us above measure exceedingly an eternal weight of glory;*^(k) nevertheless God forbid that a Christian should either trust or glory in himself, and not in the Lord, whose bounty towards all

(d) Matth. x. 22.

(e) 2 Tim. iv. 8.

(f) *Jugiter virtutem infuat.*

(g) John iv, 13, 14.

(h) Rom. x. 3.

(i) Matt. x. 42.

(k) 2 Cor. iv. 17.

men is so great, that He will have the things which are His own gifts be their merits.^(l) And forasmuch as *in many things we all offend*,^(m) each one ought to have before his eyes, as well the severity and judgment, as the mercy and goodness (of God); neither ought any one *to judge himself, even though he be not conscious to himself of anything*;⁽ⁿ⁾ because the whole life of man is to be examined and judged, not by the judgment of man, but of God, *who will bring to light the hidden things of darkness, and will make manifest the counsels of the hearts, and then shall every man have praise from God*,^(o) who, as it is written, *will render to every man according to his works*.^(p) After this Catholic doctrine on Justification, which whoso receiveth not faithfully and firmly cannot be justified, it hath seemed good to the holy Synod to subjoin these canons, that all may know not only what they ought to hold and follow, but also what to avoid and shun.

ON JUSTIFICATION.

CANON I.—If any one saith, that man may be justified before God by his own works, whether done through the teaching of human nature, or that of the law, without the grace of God through Jesus Christ; let him be anathema.

CANON II.—If any one saith, that the grace of God, through Jesus Christ, is given only for this, that man may be able more easily to live justly, and to merit eternal life, as if, by free will without grace, he were able to do both, though hardly indeed and with difficulty; let him be anathema.

CANON III.—If any one saith, that without the convenient inspiration of the Holy Ghost, and without his help, man can believe, hope, love, or be penitent as he ought, so as that the grace of Justification may be bestowed upon him; let him be anathema.

(l) Epis. Cœlest. I. c. 12. Labb. T. II. p. 1617. De qua vid. Constant. in Ep. 21. Cœlest.

(m) James iii. 2.

(n) 1 Cor. iv. 3. 4.

(o) 1 Cor. iv. 5.

(p) Matth. xvi. 27.

CANON IV.—If any one saith, that man's free will moved and excited by God, by assenting to God exciting and calling, no-wise co-operates towards disposing and preparing itself for obtaining the grace of Justification; that it cannot refuse its consent, if it would, but that, as something inanimate, it does nothing whatever and is merely passive; let him be anathema.

CANON V.—If any one saith, that, since Adam's sin, the free will of man is lost and extinguished; or, that it is a thing with only a name,⁽⁹⁾ yea a name without a reality, a figment, in fine, introduced into the Church by Satan; let him be anathema.

CANON VI.—If any one saith, that it is not in man's power to make his ways evil, but that the works that are evil God worketh as well as those that are good, not permissively only, but properly, and of Himself, in such wise that the treason of Judas is no less His own proper work than the vocation of Paul; let him be anathema.

CANON VII.—If any one saith, that all works done before Justification, in whatsoever way they be done, are truly sins, or merit the hatred of God; or that the more earnestly one strives to dispose himself for grace, the more grievously he sins: let him be anathema.

CANON VIII.—If any one saith, that the fear of hell,—whereby, by grieving for our sins, we flee unto the mercy of God, or refrain from sinning,—is a sin, or makes sinners worse; let him be anathema.

CANON IX.—If any one saith, that by faith alone the impious is justified; in such wise as to mean, that nothing else is required to co-operate in order to the obtaining the grace of Justification, and that it is not in any way necessary, that he be prepared and disposed by the movement of his own will; let him be anathema.

CANON X.—If any one saith, that men are just without the justice of Christ, whereby He merited for us to be justified; or that it is by that justice itself that they are formally just; let him be anathema.

(9) Rem esse de solo titulo, a thing in name only, un être de raison.

CANON XI.—If any one saith, that men are justified, either by the sole imputation of the justice of Christ, or by the sole remission of sins, to the exclusion of the grace and *the charity which is poured forth in their hearts by the Holy Ghost,*^(r) and is inherent in them; or even that the grace, whereby we are justified, is only the favour of God; let him be anathema.

CANON XII.—If any one saith, that justifying faith is nothing else but confidence in the divine mercy which remits sins for Christ's sake; or, that this confidence alone is that whereby we are justified; let him be anathema.

CANON XIII.—If any one saith, that it is necessary for every one, for the obtaining the remission of sins, that he believe for certain, and without any wavering arising from his own infirmity and indisposition, that his sins are forgiven him; let him be anathema.

CANON XIV.—If any one saith, that man is truly absolved from his sins and justified, because that he assuredly believed himself absolved and justified; or, that no one is truly justified but he who believes himself justified; and that, by this faith alone, absolution and justification are effected; let him be anathema.

CANON XV.—If any one saith, that a man, who is born again and justified, is bound of faith to believe that he is assuredly in the number of the predestinate; let him be anathema.

CANON XVI.—If any one saith, that he will for certain, of an absolute and infallible certainty, have that great gift of perseverance unto the end,—unless he have learned this by special revelation; let him be anathema.

CANON XVII.—If any one saith, that the grace of Justification is only attained to by those who are predestined unto life; but that all others who are called, are called indeed, but receive not grace, as being, by the divine power, predestined unto evil; let him be anathema.

CANON XVIII.—If any one saith, that the commandments of God are, even for one that is justified and constituted in grace, impossible to keep; let him be anathema.

(r) Rom. v. 5.

CANON XIX.—If any one saith, that nothing besides faith is commanded in the Gospel; that other things are indifferent, neither commanded nor prohibited, but free; or, that the ten commandments nowise appertain to Christians; let him be anathema.

CANON XX.—If any one saith, that the man who is justified and how perfect soever, is not bound to observe the commandments of God and of the Church, but only to believe; as if indeed the Gospel were a bare and absolute promise of eternal life, without the condition of observing the commandments; let him be anathema.

CANON XXI.—If any one saith, that Christ Jesus was given of God to men, as a redeemer in whom to trust, and not also as a legislator whom to obey; let him be anathema.

CANON XXII.—If any one saith, that the justified, either is able to persevere, without the special help of God, in the justice received; or that, with that help, he is not able; let him be anathema.

CANON XXIII.—If any one saith, that a man once justified can sin no more, nor lose grace, and that therefore he that falls and sins was never truly justified; or, on the other hand, that he is able, during his whole life, to avoid all sins, even those that are venial,—except by a special privilege from God, as the Church holds in regard of the Blessed Virgin; let him be anathema.

CANON XXIV.—If any one saith, that the justice received is not preserved and also increased before God through good works; but that the said works are merely the fruits and signs of Justification obtained, but not a cause of the increase thereof; let him be anathema.

CANON XXV.—If any one saith, that, in every good work, the just sins venially at least, or—which is more intolerable still—mortally, and consequently deserves eternal punishments; and that for this cause only he is not damned, that God does not impute those works unto damnation; let him be anathema.

CANON XXVI.—If any one saith, that the just ought not, for their good works done in God, to expect and hope for an eternal recompense from God, through His mercy and the merit of Jesus Christ, if so be that they persevere to the end in well

doing and in keeping the divine commandments; let him be anathema.

CANON XXVII.—If any one saith, that there is no mortal sin but that of infidelity ;^(*) or, that grace once received is not lost by any other sin, however grievous and enormous, save by that of infidelity ; let him be anathema.

CANON XXVIII.—If any one saith, that, grace being lost through sin, faith also is always lost with it; or, that the faith which remains, though it be not a lively faith, is not a true faith; or, that he, who has faith without charity, is not a Christian; let him be anathema.

CANON XXIX.—If any one saith, that he, who has fallen after baptism, is not able by the grace of God to rise again; or, that he is able indeed to recover the justice which he has lost, but by faith alone without the sacrament of Penance, contrary to what the holy Roman and universal Church—instructed by Christ and his Apostles—has hitherto professed, observed, and taught; let him be anathema.

CANON XXX.—If any one saith, that, after the grace of Justification has been received, to every penitent sinner the guilt^(*) is remitted, and the debt of eternal punishment^(*) is blotted out in such wise, that there remains not any debt of temporal punishment^(*) to be discharged either in this world, or in the next in Purgatory, before the entrance to the kingdom of heaven can be opened (to him); let him be anathema.

CANON XXXI.—If any one saith, that the justified sins when he performs good works with a view to an eternal recompense; let him be anathema.

CANON XXXII.—If any one saith, that the good works of one that is justified are in such manner the gifts of God, as that they are not also the good merits of him that is justified; or, that the said justified, by the good works which he performs through the grace of God and the merit of Jesus Christ, whose

(*) Infidelitatis, unbelief.

(t) Culpa.

(v) Reatus æternæ pœnæ, condemnation to eternal punishment.

(w) Reatus pœnæ temporalis, condemnation to a temporal punishment.

living member he is, does not truly merit increase of grace, eternal life, and the attainment of that eternal life,—if so be, however, that he depart in grace,—and also an increase of glory ; let him be anathema.

CANON XXXIII.—If any one saith, that, by the Catholic doctrine touching Justification, by this holy Synod set forth in this present decree, the glory of God, or the merits of our Lord Jesus Christ are in any way derogated from, and not rather that the truth of our faith, and the glory in fine of God and of Jesus Christ are rendered (more) illustrious ; let him be anathema.

DECREE ON REFORMATION.

CHAPTER I.

It is meet that prelates reside in their own churches ; if they act otherwise, the penalties of the ancient law are renewed against them, and fresh penalties decreed.

The same sacred and holy Synod,—the same legates of the Apostolic See presiding,—wishing to apply^(*) itself to restore ecclesiastical discipline, which is exceedingly relaxed, and to amend the depraved manners of the clergy and Christian people, has thought it fit to begin with those who preside over the greater churches ; for the integrity of those who govern, is the safety^(†) of the governed. Trusting, therefore, that by the mercy of our Lord and God, and the provident vigilance of His own vicar on earth, it will surely for the future happen, that those who are most worthy,—and whose previous life, in every stage thereof, from their infancy to their riper years, having been laudably passed in the exercises of ecclesiastical discipline, bears testimony in their favour,—will be assumed unto the government of churches, in accordance with the venerable ordinances of the Fathers, for that it is a burthen whose weight would be formidable even unto angels : (the Synod) admonishes all those who, under whatsoever name and title, are set over any

(*) Lit. to gird.

(†) Salus.

patriarchal, primatial, metropolitan, and cathedral churches, and hereby accounts all such admonished, that, *taking heed to themselves, and to the whole flock, wherein the Holy Ghost hath placed them to rule the Church of God which he hath purchased with his own blood,*^(a) *they be vigilant, as the Apostle enjoins, that they labour in all things, and fulfil their ministry :*^(b) but let them know, that fulfil it they cannot, if like hirelings they abandon the flocks committed to them, and apply not themselves to the keeping of their own sheep, *whose blood will be required at their hands,*^(c) by the Supreme Judge ; seeing that it is most certain that, if the wolf have devoured the sheep, the shepherd's excuse will not be admitted, that he knew not thereof.

And yet, for as much as some are to be found at this time, who—as is grievously to be lamented—forgetful even of their own salvation, and preferring earthly things to heavenly, and things human before divine, wander about in various courts, or, their fold forsaken, and the care of the sheep committed to them neglected, keep themselves occupied with the solitudes of temporal affairs ; it hath seemed good to the sacred and holy Synod to renew, as by virtue of the present decree It doth renew, the ancient canons promulgated against non-residents, which (canons) have, through the disorders of the times and of men, well nigh fallen into desuetude ; and furthermore, in order to the more fixed residence of the same, and for the reforming of manners in the church, it hath seemed good to appoint and ordain in the manner following:—If any one, by whatsoever dignity, degree, and pre-eminence distinguished, shall, by remaining six months together out of his own diocese, all lawful impediment, or just and reasonable causes ceasing, be absent from a patriarchal, primatial, metropolitan, or cathedral church, under what title soever, cause, name, or right committed to him, he shall *ipso jure*^(c) incur the penalty of the forfeiture of a fourth part of one year's fruits, to be applied, by an ecclesiastical

(a) Acts xx. 28.

(b) 2 Tim. iv. 5.

(c) Ezech. xxxiii. 6.

(c) A phrase equivalent to *ipso facto*, and is so rendered throughout by Pallavicini. See vol. I. p. 737. Istor. del Concil. di Trento, Roma, 1656.

superior, to the fabric of the church and to the poor of the place. And if he continue absent in this way during six other months, he shall thereupon forfeit another fourth part of the fruits to be applied in like manner. But if the contumacy proceed yet further, the metropolitan shall, for the subjecting him to a severer censure of the sacred canons, be obliged to denounce his absent suffragan bishops, and the oldest resident suffragan bishop to denounce his absent metropolitan, to the Roman pontiff, either by letter or by messenger, within the space of three months, under the penalty, to be *ipso facto* incurred, of being interdicted from entering into the church; that he, by the authority of his own supreme See, may proceed against the said non-resident prelates, according as the greater or less contumacy of each may require, and provide the said churches with more useful pastors, as he shall know in the Lord to be salutary and expedient.

CHAPTER II.

It is not lawful for any one who holds a benefice requiring personal residence to absent himself, save for a just cause to be approved of by the bishop, who even then shall, for the cure of souls, substitute a vicar in his stead, withdrawing a portion of the fruits.

Those inferior to bishops, who hold by title, or *in commendam*, any ecclesiastical benefices requiring personal residence whether by law or custom, shall be compelled, by their Ordinaries, to reside, by suitable legal remedies; as to them shall seem expedient for the good government of the churches and the advancement of the service of God, taking into account the character of the places and persons; and to no one shall any perpetual privileges, or indults, in favour of non-residence, or of receiving the fruits during absence, be of avail: temporary indulgences and dispensations, however, granted solely for true and reasonable causes, and which are to be legitimately proved before the Ordinary, shall remain in force: in which cases,

nevertheless, it shall be the office of bishops, as delegated in this matter by the Apostolic See, to provide that, by deputing competent vicars, and by assigning them a suitable portion of the fruits, the cure of souls be nowise neglected; no privilege or exemption whatever being of avail to any in this regard.

CHAPTER III.

The excesses of Secular clerics and of Regulars who live out of their monasteries, shall be corrected by the Ordinary of the place.

The prelates of the churches shall apply themselves prudently and diligently to correct the excesses of their subjects; and no Secular cleric, under pretext of a personal privilege, or any Regular, living out of his monastery, shall, under pretext of a privilege of his order, be accounted, if he transgress, exempt from being visited, punished, and corrected, in accordance with the ordinances of the canons, by the Ordinary of the place, as being delegated hereunto by the Apostolic See.

CHAPTER IV.

Bishops and other greater prelates shall visit any churches whatsoever, as often as there shall be need; everything which might hinder this decree being abrogated.

The Chapters of cathedral, and of other greater, churches, and the members thereof, shall not be able,—by any exemptions, customs, judgments, oaths, concordates, which only bind the authors thereof and not also their successors,—to screen themselves from being capable of being, in accordance with the ordinances of the canons, visited, corrected, and amended, as often as shall be needful, even with apostolical authority, by their own bishops, and other greater prelates, by themselves alone, or with those whom they shall see fit to have accompany them.

CHAPTER V.

Bishops shall neither exercise any pontifical function, nor ordain, in another diocese.

It shall not be lawful for any bishop, under the plea of any privilege soever, to exercise pontifical functions^(d) in the diocese of another, save by the express permission of the Ordinary of the place, and in regard of those persons only who are subject to that same Ordinary: if the contrary shall have been done, the bishop shall be *ipso jure* suspended from the exercise of episcopal functions, and those so ordained (be similarly suspended) from the exercise of their orders.

INDICTION OF THE NEXT SESSION.

Doth it please you, that the next ensuing Session be celebrated on Thursday, the fifth day after the first Sunday of the approaching Lent, which (Thursday) will be the third day of the month of March? *They answered*: It pleaseth us.

SESSION THE SEVENTH,

Celebrated on the third day of the month of March, MDXLVII.

DECREE ON THE SACRAMENTS.

Proëm.

For the completion of the salutary doctrine on Justification, which was promulgated with the unanimous consent of the Fathers in the last preceding Session, it hath seemed suitable to treat of the most holy Sacraments of the Church, through which all true justice either begins, or being begun is increased, or being lost is repaired. With this view, in order to destroy the errors and to extirpate the heresies, which have appeared

(d) Pontificalia.

in these our days on the subject of the said most holy sacraments,—as well those which have been revived from the heresies condemned of old by our Fathers, as also those newly invented, and which are exceedingly prejudicial to the purity of the Catholic Church, and to the salvation of souls,—the sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same legates of the Apostolic See presiding therein, adhering to the doctrine of the holy Scriptures, to the apostolic traditions, and to the consent of other councils and of the Fathers, has thought fit that these present canons be established and decreed ; intending, the divine Spirit aiding, to publish later the remaining canons which are wanting for the completion of the work which It has begun.

ON THE SACRAMENTS IN GENERAL.

CANON I.—If any one saith, that the sacraments of the New Law were not all instituted by Jesus Christ, our Lord ; or, that they are more, or less, than seven, to wit, Baptism, Confirmation, the Eucharist, Penance, Extreme Unction, Order, and Matrimony ; or even that any one of these seven is not truly and properly a sacrament ; let him be anathema.

CANON II.—If any one saith, that these said sacraments of the New Law do not differ from the sacraments of the Old Law, save that the ceremonies are different, and different the outward rites ; let him be anathema.

CANON III.—If any one saith, that these seven sacraments are in such wise equal to each other, as that one is not in any way more worthy than another ; let him be anathema.

CANON IV.—If any one saith, that the sacraments of the New Law are not necessary unto salvation, but superfluous ; and that, without them, or without the desire thereof, men obtain of God, through faith alone, the grace of justification ;—though all (the sacraments) are not indeed necessary for every individual ; let him be anathema.

CANON V.—If any one saith, that these sacraments were instituted for the sake of nourishing faith alone ; let him be anathema.

CANON VI.—If any one saith, that the sacraments of the New Law do not contain the grace which they signify ; or, that they do not confer that grace on those who do not place an obstacle thereunto ; as though they were merely outward signs of grace or justice received through faith, and certain marks of the Christian profession, whereby believers are distinguished amongst men from unbelievers ; let him be anathema.

CANON VII.—If any one saith, that grace, as far as God's part is concerned, is not given through the said sacraments, always, and to all men, even though they receive them rightly, but (only) sometimes, and to some persons ; let him be anathema.

CANON VIII.—If any one saith, that by the said sacraments of the New Law grace is not conferred through the act performed,^(e) but that faith alone in the divine promise suffices for the obtaining of grace ; let him be anathema.

CANON IX.—If any one saith, that, in the three sacraments, Baptism, to wit, Confirmation, and Order, there is not imprinted in the soul a character, that is, a certain spiritual and indelible sign, on account of which they cannot be repeated ; let him be anathema.

CANON X.—If any one saith, that all Christians have power to administer the word, and all the sacraments ; let him be anathema.

CANON XI.—If any one saith, that, in ministers, when they effect,^(f) and confer the sacraments, there is not required the intention at least of doing what the Church does ; let him be anathema.

CANON XII.—If any one saith, that a minister, being in mortal sin,—if so be that he observe all the essentials which belong to the effecting,^(g) or conferring of, the sacrament,—neither effects, nor confers the sacrament ; let him be anathema.

CANON XIII.—If any one saith, that the received and approved rites of the Catholic Church, wont to be used in the solemn

(e) Ex opere operato.

(f) Conficiunt, make.

(g) Conficiendum.

administration of the sacraments, may be contemned, or without sin be omitted at pleasure by the ministers, or be changed, by every pastor of the churches, into other new ones ; let him be anathema.

ON BAPTISM.

CANON I.—If any one saith, that the baptism of John had the same force as the baptism of Christ ; let him be anathema.

CANON II.—If any one saith, that true and natural water is not of necessity for baptism, and, on that account, wrests, to some sort of metaphor, those words of our Lord Jesus Christ ; *Unless a man be born again of water and the Holy Ghost ;* ^(h) let him be anathema.

CANON III.—If any one saith, that in the Roman church, which is the mother and mistress of all churches, there is not the true doctrine concerning the sacrament of baptism ; let him be anathema.

CANON IV.—If any one saith, that the baptism which is even given by heretics in the name of the Father, and of the Son, and of the Holy Ghost, with the intention of doing what the Church doth, is not true baptism ; let him be anathema.

CANON V.—If any one saith, that baptism is free, ⁽ⁱ⁾ that is, not necessary unto salvation ; let him be anathema.

CANON VI.—If any one saith, that one who has been baptized cannot, even if he would, lose grace, let him sin ever so much, unless he will not believe ; let him be anathema.

CANON VII.—If any one saith, that the baptized are, by baptism itself, *made debtors* but to faith alone, and not to the observance of *the whole law* ^(k) of Christ ; let him be anathema.

CANON VIII.—If any one saith, that the baptized are freed from all the precepts, whether written or transmitted, of holy Church, in such wise that they are not bound to observe them, unless they have chosen of their own accord to submit themselves thereunto ; let him be anathema.

^(h) John iii. 5.

⁽ⁱ⁾ Liberum, optional.

^(k) Gal. v. 3.

CANON IX.—If any one saith, that the remembrance of the baptism which they have received is so to be recalled unto men, as that they are to understand, that all vows made after baptism are void, in virtue of the promise already made in that baptism ; as if, by those vows, they both derogated from that faith which they have professed, and from that baptism itself ; let him be anathema.

CANON X.—If any saith, that by the sole remembrance and the faith of the baptism which has been received, all sins committed after baptism are either remitted, or made venial ; let him be anathema.

CANON XI.—If any one saith, that baptism, which was true and rightly conferred, is to be repeated, for him who has denied the faith of Christ amongst Infidels, when he is converted unto penitence ; let him be anathema.

CANON XII.—If any one saith, that no one is to be baptized save at that age at which Christ was baptized, or in the very article of death ; let him be anathema.

CANON XIII.—If any one saith, that little children, for that they have not actual faith,⁽¹⁾ are not, after having received baptism, to be reckoned amongst the faithful ; and that, for this cause, they are to be rebaptized when they have attained to years of discretion ; or, that it is better that the baptism of such be omitted, than that, while not believing by their own act, they should be baptized in the faith alone of the Church ; let him be anathema.

CANON XIV.—If any one saith, that those who have been thus baptized when children, are, when they have grown up, to be asked whether they will ratify what their sponsors promised in their names when they were baptized ; and that, in case they answer that they will not, they are to be left to their own will ; and are not to be compelled meanwhile to a Christian life by any other penalty, save that they be excluded from the participation of the Eucharist, and of the other sacraments, until they repent ; let him be anathema.

(1) Actum credendi.

ON CONFIRMATION.

CANON I.—If any one saith, that the confirmation of those who have been baptized is an idle ceremony, and not rather a true and proper sacrament; or that of old it was nothing more than a kind of catechism, whereby they who were near adolescence gave an account of their faith in the face of the Church; let him be anathema.

CANON II.—If any one saith, that they who ascribe any virtue to the sacred chrism of confirmation, offer an outrage to the Holy Ghost; let him be anathema.

CANON III.—If any one saith, that the ordinary minister of holy confirmation is not the bishop alone, but any simple priest soever; let him be anathema.

DECREE ON REFORMATION.

The same sacred and holy Synod, the same legates also presiding, purposing to prosecute, unto the praise of God, and the increase of the Christian religion, the work which It hath begun touching residence and reformation, has thought good to ordain as follows,—saving always, in all things, the authority of the Apostolic See.

CHAPTER I.

Who is capable of governing Cathedral churches.

No one shall be assumed unto the government of Cathedral churches, but one that is born of a lawful wedlock, is of mature age, and endowed with gravity of manners, and skill in letters, agreeably to the constitution of Alexander III., which begins, *Cum in cunctis*, promulgated in the Council of Lateran.

CHAPTER II.

The holders of several Cathedral churches are commanded to resign all but one, in a given manner and time.

No one, by whatsoever dignity, grade, or pre-eminence distinguished, shall presume, in contravention of the institutes of the sacred canons, to accept and to hold at the same time several Metropolitan, or Cathedral, churches, whether by title, or *in commendam*, or under any other name whatsoever; seeing that he is to be accounted exceedingly fortunate whose lot it is to rule one church well and fruitfully, and unto the salvation of the souls committed to him. But as to those who now hold several churches contrary to the tenor of the present decree, they shall be bound, retaining the one which they may prefer, to resign the rest, within six months if they are at the free disposal of the Apostolic See, in other cases within the year; otherwise those churches, the one last obtained only excepted, shall be from that moment deemed vacant.

CHAPTER III.

Benefices shall be conferred solely on capable individuals.

Inferior Ecclesiastical Benefices, especially such as have the cure of souls, shall be conferred on persons worthy and capable, and who can reside on the spot and exercise personally the said cure; in accordance with the Constitution of Alexander III., in the Council of Lateran, which begins, *Quia nonnulli*; and that other of Gregory X., published in the General Council of Lyons, which begins, *Licet Canon*. A collation, or provision, made otherwise, shall be wholly annulled: and let the ordinary collator know, that he will himself incur the penalties set down in the Constitution of the General Council (of Lateran), which begins, *Grave nimis*.

CHAPTER IV.

The retainer of several Benefices contrary to the Canons, shall be deprived thereof.

Whosoever shall for the future presume to accept, or to retain at the same time several cures, or otherwise incompatible Ecclesiastical Benefices, whether by way of union for life, or in perpetual *commendam*, or under any other name or title whatsoever, in contravention of the appointment of the sacred Canons, and especially of the Constitution of Innocent III., beginning, *De multa*, shall be *ipso jure* deprived of the said benefices, according to the disposition of the said constitution, and also by virtue of the present Canon.

CHAPTER V.

The holders of several Benefices with cure of souls shall exhibit their dispensations to the Ordinary, who shall provide the churches with a Vicar, assigning a suitable portion of the fruits.

The Ordinaries of the places shall strictly compel all those who hold several cures, or otherwise incompatible, Ecclesiastical Benefices to exhibit their dispensations; and they shall otherwise proceed according to the Constitution of Gregory X., published in the General Council of Lyons, beginning *Ordinarii*, which (Constitution) this holy Synod thinks ought to be renewed, and doth renew; adding further, that the said Ordinaries are by all means to provide, even by deputing fit vicars and by assigning a suitable portion of the fruits, that the cure of souls be not in any way neglected, and that the said benefices be nowise defrauded of the services due to them: no appeals, privileges, or exemptions whatsoever, even with a commission of special judges, and inhibitions from the same, being of avail to any one in the matters aforementioned.

CHAPTER VI.

What unions of Benefices shall be accounted valid.

Unions in perpetuity, made within forty years, may be examined into by the Ordinaries, as delegated by the Apostolic See, and such as shall have been obtained by surreption or obreption shall be declared null. Now those are to be presumed to have been surreptitiously obtained, which, having been granted within the aforementioned period, have not as yet been carried into effect wholly, or in part, as also those which shall henceforth be made at the instance of any person soever, unless it shall be certain that they have been made for lawful, or otherwise reasonable causes, which are to be verified before the Ordinary of the place, those persons being summoned whose interests are concerned: and therefore (such unions) shall be altogether of no force, unless the Apostolic See shall have declared otherwise.

CHAPTER VII.

United Ecclesiastical Benefices shall be visited: the cure thereof shall be exercised even by perpetual vicars; who shall be deputed thereunto with a portion, to be assigned even upon a specific property.

Ecclesiastical Benefices with cures, which are found to have been always united and annexed to Cathedral, Collegiate, or other churches, or to monasteries, benefices, colleges, or other pious places of what sort soever, shall be visited every year by the Ordinaries of those places; who shall apply themselves sedulously to provide that the cure of souls be laudably exercised by competent vicars, and those even perpetual, unless the said Ordinaries shall deem it expedient for the good of the churches that it be otherwise,—which (vicars) shall be deputed thereunto by those Ordinaries, with a provision consisting of a third part of the fruits, or of a greater or less proportion, at the discretion

of the said Ordinaries, which (portion) is to be assigned even upon a specific property; no appeals, privileges, exemptions, even with a commission of judges, and inhibitions from the same, being of any avail in the matters abovenamed.

CHAPTER VIII.

Churches shall be repaired: the cure of souls sedulously discharged.

The Ordinaries of the places shall be bound to visit every year, with apostolic authority, all churches whatsoever, in whatsoever manner exempted; and to provide by suitable legal remedies that whatever needs repairs, be repaired; and that those churches be not in any way defrauded of the cure of souls, if such be annexed thereunto, or of other services due to them;—all appeals, privileges, customs, even those that have a prescription from time immemorial, commission of judges, and inhibitions from the same, being utterly set aside.

CHAPTER IX.

The duty of consecration not to be delayed.

Those who have been promoted to the greater churches shall receive the rite of consecration within the time prescribed by law, and any delays granted, extending beyond the period of six months, shall be of no avail to any one.

CHAPTER X.

When a See is vacant, Chapters shall not grant 'reverends' to any unless straitened because of a Benefice obtained, or about to be obtained: various penalties on contraveners.

It shall not be lawful for Chapters of churches, when a see is vacant, to grant,—whether by ordinance of common law, or by virtue of any privilege or custom whatsoever,—a license for

ordination,^(m) or letters dimissory, or “reverend,” as some call them, within a year from the day of that vacancy, to any one who is not straitened (for time),⁽ⁿ⁾ by occasion of some ecclesiastical benefice received, or about to be received. Otherwise, the contravening Chapter shall be subjected to an ecclesiastical interdict; and the persons so ordained, if they have been constituted in minor orders, shall not enjoy any clerical privilege, especially in criminal causes; whilst those constituted in the greater orders shall be, *ipso jure*, suspended from the exercise thereof, during the pleasure of the next appointed prelate.

CHAPTER XI.

Faculties for promotion shall not avail any one without a just cause.

Faculties, for being promoted (to orders) by any prelate whatsoever, shall be of no avail but to those who have a lawful cause—which is to be expressed in their letters—why they cannot be ordained by their own bishops; and even then they shall not be ordained but by a bishop who is resident in his own diocese, or by him who exercises the pontifical functions for him, and after having undergone a previous careful examination.

CHAPTER XII.

Faculties for not being promoted shall not exceed a year.

Faculties granted for not being promoted (to orders) shall avail for a year only, except in the cases by law provided.

^(m) Ordinandi licentiam.

⁽ⁿ⁾ Arctatus. Pallav. Necessitato di prender gli ordini.

CHAPTER XIII.

Individuals by whomsoever presented shall not be instituted without being previously examined and approved of by the Ordinary; with certain exceptions.

Persons presented, or elected, or nominated by any ecclesiastics soever, even by Nuncios of the Apostolic See, shall not be instituted, or confirmed in, or admitted to any ecclesiastical benefices whatsoever, even under the plea of any privilege soever, or custom, which may even have a prescription from time immemorial, unless they shall have been first examined, and found fit, by the Ordinaries of the places. And no one shall be able to screen himself, by means of an appeal, from being bound to undergo that examination. Those, however, are to be excepted, who are presented, elected, or nominated by universities, or by colleges for general studies.

CHAPTER XIV.

The civil causes of exempted persons which may be taken cognizance of by bishops.

In the causes of exempted persons, the Constitution of Innocent IV., beginning *Volentes*, set forth in the general Council of Lyons, shall be observed,—which Constitution this sacred and holy Synod hath thought ought to be renewed, and doth hereby renew it; adding further, that, in civil causes relative to wages, and to persons in distress,^(°) clerics, whether Seculars, or Regulars who live out of their monasteries,—howsoever exempted, and even though they may have upon the spot a special judge deputed by the Apostolic See; and in other causes, if they have no such judge,—may be brought before the Ordinaries of the places, and be constrained and compelled by course of law to

(°) In civilibus causis mercedum, et miserabilium personarum.

pay what they owe; no privileges, exemptions, commissions of conservators, and inhibitions therefrom, being of any force whatever in opposition to the (regulations) aforesaid.

CHAPTER XV.

Ordinaries shall take care that all manner of hospitals, even those exempted, be faithfully governed by their administrators.

The Ordinaries shall take care that all hospitals whatsoever be faithfully and diligently governed by their own administrators, by what names soever called, and in what way soever exempted: observing herein the form of the Constitution of the Council of Vienne, which begins, *Quia contingit*, which this holy Synod hath thought fit to renew, and doth hereby renew, together with the derogations therein contained.

INDICTION OF THE NEXT SESSION.

This sacred and holy Synod hath also resolved and decreed that the next ensuing Session be held and celebrated on Thursday, the fifth day after the coming Sunday *in Albis* (Low Sunday), which will be the twenty-first of the month of April of the present year, MDXLVII.

BULL WITH FACULTY TO TRANSFER THE COUNCIL.

Paul, bishop, servant of the servants of God, to our venerable brother Giammaria, bishop of Palæstrina, and to our beloved sons, Marcellus of the title of the Holy Cross in Jerusalem, priest, and Reginald of Saint Mary in Cosmedin, deacon, cardinals, our Legates *a latere*, and those of the Apostolic See, health and apostolical benediction.

We, by the providence of God, presiding over the government of the universal Church, though with merits unequal thereunto, account it a part of our office that, if anything of more than common moment have to be settled touching the Christian

commonweal, it be done not only at a suitable season, but also in a convenient and fit place. Wherefore, whereas We lately, with the advice and consent of our venerable brethren the cardinals of the holy Roman Church,—upon hearing that peace had been made between our most dear sons in Christ, Charles the Emperor of the Romans, ever august, and Francis the most Christian King of the French,—took off and removed the suspension of the celebration of the sacred œcumenical and universal Council, which we had on another occasion, for reasons then stated, indicted with the advice and consent aforesaid, for the city of Trent, and which was, for certain other reasons at that time also named, suspended, upon the like advice and consent, unto another more opportune and suitable time to be declared by us : being ourselves unable, from being at that time lawfully hindered, to repair to the above-named city in person, and to be present at that Council, We, by the same advice, appointed and deputed you as *Legates a latere* on our behalf and that of the Apostolic See, in that Council ; and we sent you unto that same city as angels of peace, as in divers our letters thereupon is more fully set forth : wishing to provide seasonably that so holy a work as the celebration of such a Council may not be hindered through the incommodiousness of the place, or otherwise in any other manner, We, of our proper motion, and certain knowledge, and the plenitude of apostolic authority, and with the advice and consent aforesaid, by the tenor of these presents do, with apostolic authority, concede to you all together, or to two of you, upon the other being detained by a lawful impediment, or maybe absent therefrom, full and unrestrained power and faculty, to transfer and change, whensoever you shall see cause, the aforesaid Council from the city of Trent to any other more convenient, suitable, or safe city, as to you shall seem fit, and to suppress and dissolve that which is held in the said city of Trent ; as also to prohibit, even under ecclesiastical pains and censures, the prelates and other members of the said Council, from proceeding to any further measures therein in the said city of Trent ; and also to continue, hold, and celebrate the same Council in the other city as aforesaid unto which it shall have been transferred and changed, and

to summon thereunto the prelates and other members of the said Council of Trent, even under the pain of perjury and of the other penalties named in the letters of Indiction of that Council; to preside and proceed, in the Council thus translated and changed, in the name and by the authority aforesaid, and to perform, regulate, ordain, and execute the other things mentioned above, and the things thereunto necessary and suitable, in accordance with the contents and tenor of the previous letters which have been on other occasion addressed unto you: declaring that We will hold as ratified and pleasing whatsoever by you shall have been done, regulated, ordained, in the matters aforesaid, and will, with God's help, cause it to be inviolably observed; any apostolical constitutions and ordinances, and other things whatsoever to the contrary notwithstanding. Wherefore, let no one soever infringe this letter of our grant, or with rash daring go contrary thereto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of the blessed Peter and Paul, His apostles.

Given at Rome, at St. Peter's, in the year of the Lord's Incarnation MDXLVII, on the eighth of the calends of March,^(P) in the eleventh year of our Pontificate.

FAB. BISH. OF SPOL.
B. MOTTA.

SESSION THE EIGHTH,

Celebrated on the eleventh day of the month of March, in the year MDXLVII.

DECREE CONCERNING THE TRANSLATION OF THE COUNCIL.

Doth it please you to decree and declare, that, from the foregoing statements and other allegations, a disease of the kind stated is so plainly and notoriously certain, that the prelates cannot without danger of their lives remain in this city, and that

(P) February 22nd.

therefore they cannot and ought not to be detained therein against their wills? And considering moreover the withdrawal of many prelates since the Session last held, and the protests made in the general congregations by very many other prelates, who wish by all means to depart hence through fear of the said disease, who cannot justly be detained; and by whose departure the Council would either be dissolved, or, from the small number of the prelates, its beneficial progress be hindered; and considering also the imminent danger to life, and the other notoriously true and legitimate reasons alleged in the said congregations by certain of the Fathers; doth it please you, in like manner, to decree and declare, that, for the preservation and prosecution of the said Council, and for the safety of the lives of the said prelates, this Council be transferred for a time to the city of Bologna, as being a place better provided, more healthy, and fit, and that the translation have effect from this day forth, and that the Session, already indicted for the twenty-first of April ought to be celebrated, and be celebrated, there on that appointed day; and that the further matters be proceeded with in order, until it shall seem expedient, to our most holy Lord and to the sacred Council, that the said Council may, and ought to, be brought back to this, or to some other place, taking council also thereupon with the most invincible Emperor, the most Christian king, and with the other Christian kings and princes? *They answered*: It pleaseth us.

SESSION THE NINTH,

Celebrated at Bologna, on the twenty-first day of the month of April, MDXLVII.

DECREE FOR THE PROROGATION OF THE SESSION.

This sacred and holy, œcumenical and general Synod, which lately was assembled in the city of Trent, and is now lawfully assembled in the Holy Ghost at Bologna, the same most reverend Lords Giammaria del Monte, bishop of Palæstrina, and Marcellus, of the title of the Holy Cross in Jerusalem, priest,

cardinals of the holy Roman Church, and Legates apostolic *à latere*, presiding therein in the name of our most holy Father in Christ, and Lord, Paul III., by the providence of God, Pope ; considering that, on the eleventh day of the month of March of the present year, in a general and public Session celebrated in the said city of Trent, in the usual place, all the formalities being observed in the usual manner ; (the Synod),—for causes then pressing, urgent, and legitimate, and with the interposition also of the authority of the holy Apostolic See, specially also granted to the said most reverend Presidents,—decreed and ordained, that the Council was to be transferred, as it did transfer it, from that place to this city, and likewise that the Session,—indicted there for this twenty-first day of April, that Canons touching the matters of the Sacraments and of Reformation, whereon It had purposed to treat, might be established and promulgated,—ought to be celebrated in this city of Bologna ; and considering that some of the Fathers who have been accustomed to be present at this Council,—being some engaged in their own Churches during these last days of the great week (of Lent), and of the Paschal solemnity, and some also detained by other hindrances,—have not as yet come hither, but who nevertheless, it is to be hoped, will shortly be present ; and that, from this cause, it has happened that the said matters of the Sacraments and of Reformation could not be examined and discussed in an assembly of prelates as numerous as the holy Synod desired : wherefore, to the end that all things may be done with mature deliberation, with due dignity and gravity, (the Synod) hath resolved, and doth resolve, that it is good, opportune, and expedient, that the aforesaid Session, which, as has been said, was to have been celebrated on this day, be deferred and prorogued, as it is now deferred and prorogued, to the Thursday within the approaching octave of Pentecost, for the expediting of the matters aforesaid ; which day It has deemed, and deems, to be most opportune for the business to be transacted, and most convenient especially for the Fathers who are absent ; adding however, that this holy Synod may and can, even in a private congregation, limit and abridge the said term, at Its will and pleasure, as It shall think expedient for the business of the Council.

SESSION THE TENTH,

Celebrated at Bologna on the second day of the month of June, MDXLVII.

DECREE FOR THE PROROGATION OF THE SESSION.

Although this sacred and holy, œcumenical and general Synod hath decreed, that the Session which was to have been celebrated, in this illustrious city of Bologna, on the twenty-first day of the month of April last, on the subject of the Sacraments and of Reformation, in accordance with the decree promulgated in public Session in the city of Trent, should be deferred and prorogued to this present day, for certain reasons, and especially on account of the absence of some of the Fathers, who it was hoped would in a short time be present; wishing, however, even yet to deal kindly with those who have not come, the same sacred and holy Synod, lawfully assembled in the Holy Ghost, the same cardinals of the holy Roman Church, and Legates of the Apostolic See, presiding therein, resolves and decrees, that the said Session, which It had decreed to celebrate on this the second day of the month of June of this present year 1547, be deferred and prorogued, and It doth hereby defer and prorogue it, to the Thursday after the feast of the Nativity of the Blessed Virgin Mary, which will be the fifteenth of September next; for the expediting of the aforesaid and other matters; yet so, however, that the prosecution of the discussion and examination, as well of those things which relate to dogmas, as of those which regard reformation, shall not meanwhile be suspended; and that the said holy Synod freely may and can, at Its will and pleasure, even in a private congregation, abridge or prorogue the said term.

On the fourteenth day of September, MDXLVII, in a general Congregation held at Bologna, the Session, which was to have been held on the following day, was prorogued during the good pleasure of the sacred Council.

BULL FOR THE RESUMPTION OF THE COUNCIL OF TRENT, UNDER THE
SOVEREIGN PONTIFF, JULIUS III.

Julius, bishop, servant of the servants of God, for the future memory hereof.

Whereas, in order to remove the dissensions touching our religion, which for a long time have prevailed in Germany to the disturbance and scandal of the whole Christian world, it seems good, opportune, and expedient,—as also our most dearly beloved son in Christ, Charles the Emperor of the Romans, ever august, has caused to be signified to us by his letters and ambassadors,—to bring back to the city of Trent, the sacred, œcumenical, (and) general Council indicted by our predecessor, Pope Paul III., of happy memory, and begun, regulated, and continued, by Us, who then enjoyed the honour of the Cardinalate, and conjointly with two other Cardinals of the holy Roman Church, presided in the name of our said predecessor, in the said Council, wherein several public and solemn Sessions were held, and several decrees promulgated as well on the subject of faith as of Reformation, and also many things relating to both subjects examined and discussed;—We,—unto whom, as Sovereign Pontiff⁽¹⁾ for the time, it appertains to indict and direct general Councils,—that we may, unto the praise and glory of Almighty God, procure the peace of the Church and the increase of the Christian faith and of the orthodox religion, and may, as far as in us lies, consult with fatherly care for the tranquillity of Germany,—a province indeed which, in times past, was never second to any in Christendom, in cultivating true religion, and the doctrine of the sacred Councils and holy Fathers, and in exhibiting due obedience and reverence to the chief Pontiffs, the vicars on earth of Christ our Redeemer; hoping that, by the grace and bounty of God, all Christian kings and princes will approve of, favour and aid our just and pious wishes herein: We, by the bowels of the mercy of our Lord Jesus Christ, exhort, require, and admonish our venerable brethren the patri-

(1) *Ut summos Pontifices.* Le Plat reads *et summos.*

archs, archbishops, bishops, and our beloved sons the abbots, and all and each of the others, who of right, or custom, or privilege, ought to be present at General Councils, and whom our said predecessor, in his letters of indiction and any others soever made and published on this subject, willed to be present at the Council, to convene and assemble, where there is no lawful impediment, in the same city of Trent, and to apply themselves without any delay whatever to the continuation and prosecution of the said Council, on the next ensuing calends of May,^(r) which day we appoint, determine on, and assign, after mature deliberation, and of our own certain knowledge, and the plenitude of apostolic authority, and with the advice and consent of our venerable brethren the Cardinals of the said holy Roman Church, for resuming and prosecuting the said Council in the state wherein it now is. For We shall make it our special care, that, at the same time, in the said city, there be always present our Legates, through whom,—if we shall be unable, on account of our age, state of health, and the necessities of the Apostolic See, to be personally present,—we shall, under the guidance of the Holy Ghost, preside over the said Council; any translation and suspension of the said Council, and any other things whatsoever to the contrary notwithstanding, and especially those things which it was the will of our predecessor should not create any obstacle, as expressed in his letters aforesaid, which, with all and each of the clauses and decrees therein contained, we will and decree to continue in force, and we do, as far as there is need thereof, hereby renew them; declaring moreover null and void whatsoever may be attempted, wittingly or ignorantly, by whatsoever person, or by whatsoever authority, against these presents. Let no one, therefore, infringe this our letter of exhortation, requisition, monition, statute, declaration, renewal, will, and decree, or with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His blessed apostles, Peter and Paul.

(r) May 1.

Given at Rome, at St. Peter's, in the year MDXLVIII of our Lord's Incarnation, on the eighteenth of the calends of December,^(*) in the first year of our Pontificate.

M. CARDINAL CRESCEN.

ROM. AMASÆUS.

SESSION THE ELEVENTH,

Of the sacred and holy, œcumenical and general Council of Trent, celebrated on the calends of May, MDLI, being the first held under the Sovereign Pontiff, Julius III.

DECREE FOR RESUMING THE COUNCIL.

Doth it please you, unto the praise and glory of the holy and undivided Trinity, Father, and Son, and Holy Ghost, for the increase and exaltation of the Christian faith and religion, that the sacred, œcumenical, and general Council of Trent be, agreeably to the form and tenor of the letters of our most holy lord, resumed, and that further matters be proceeded with? *They answered*: It pleaseth us.

INDICTION OF THE NEXT SESSION.

Doth it please you that the next ensuing Session be held and celebrated on the ensuing calends of September? *They answered*: It pleaseth us.

SESSION THE TWELFTH,

Being the second under the Sovereign Pontiff, Julius III., celebrated on the first day of September, MDLI.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legate and nuncios of the Apostolic See presiding therein,—having, in

(*) November 14th.

the Session last held, decreed, that this next Session was to be on this day celebrated, and that further matters were to be proceeded with; whereas It has hitherto delayed to proceed, on account of the absence of the illustrious German nation,—whose interests are principally concerned,^(t)—and on account of the assemblage of the Fathers not being numerous; now rejoicing in the Lord, and giving deserved thanks to that same Almighty God, for the arrival, a little before this day, of our venerable brethren and sons in Christ, the Archbishops of Mayence and Treves,—electoral princes of the holy Roman Empire,—and also of several other bishops of that country and of other provinces; and conceiving a firm hope that very many other prelates, both of Germany and of other nations, will, impelled by the requirement of their office and by this example, in a few days arrive; (the Synod) indicts the next session for the fortieth day from this present, which will be the eleventh of October next:—and prosecuting the said Council in the state wherein it now is, whereas in the preceding Sessions decrees were passed touching the seven sacraments of the New Law in general, and on baptism and confirmation in particular, It resolves and decrees, that It will discuss and treat of the sacrament of the most holy Eucharist, and also, as regards Reformation, of the other matters which relate to the more easy and commodious residence of prelates. And It admonishes and exhorts all the Fathers, that, after the example of our Lord Jesus Christ, they meanwhile give themselves to fasting and prayer, so far at least as human weakness will permit, that so God, who is blessed for evermore, being at length appeased, may vouchsafe to bring back the hearts of men to the acknowledgment of His own true faith, to the unity of holy mother Church, and to the rule of righteous living.

(t) *Cujus præcipue causa agitur*; for whose sake principally It is held.

SESSION THE THIRTEENTH,

*Being the third under the Sovereign Pontiff, Julius III.,
celebrated on the eleventh day of October, MDLI.*

DECREE CONCERNING THE MOST HOLY SACRAMENT OF THE EUCHARIST.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legate, and nuncios of the Apostolic See presiding therein,—although the end for which It assembled, not without the special guidance and governance of the Holy Ghost, was, that It might set forth the true and ancient doctrine touching faith and the sacraments, and might apply a remedy to all the heresies, and the other most grievous troubles with which the Church of God is now miserably agitated, and rent into many and various parts; yet, even from the outset, this especially has been the object of Its desires, that It might *pluck up* by the roots those *tares* of execrable errors and schisms, with which *the enemy* hath, in these our calamitous times, oversown the doctrine of the faith, in the use and worship of the sacred and holy Eucharist, which our Saviour, notwithstanding, left in His Church as a symbol of that unity and charity, with which He would fain have all Christians be mutually joined and united together. Wherefore, this sacred and holy Synod delivering here, on this venerable and divine sacrament of the Eucharist, that sound and genuine doctrine, which the Catholic Church,—instructed by our Lord Jesus Christ Himself, and by His apostles, and taught by the Holy Ghost, who day by day *brings to her mind all truth*,^(v) has always retained, and will preserve *even to the end of the world*, forbids all the faithful of Christ, to presume to believe, teach, or preach henceforth concerning the holy Eucharist, otherwise than as is explained and defined in this present decree.

(v) St. John xiv. 26; xvi. 13.

CHAPTER I.

On the real presence of our Lord Jesus Christ in the most holy sacrament of the Eucharist.

In the first place, the holy Synod teaches, and openly and simply professes, that, in the august(*) sacrament of the holy Eucharist, after the consecration of the bread and wine, our Lord Jesus Christ, true God and man, is truly, really, and substantially contained under the species of those sensible things. For neither are these things mutually repugnant,—that our Saviour Himself always sitteth at the right hand of the Father in heaven, according to the natural mode of existing, and that, nevertheless, He be, in many other places, sacramentally present to us in his own substance, by a manner of existing, which, though we can scarcely express it in words, yet can we, by the understanding illuminated by faith, conceive, and we ought most firmly to believe, to be possible unto God: for thus all our forefathers, as many as were in the true Church of Christ, who have treated of this most holy Sacrament, have most openly professed, that our Redeemer instituted this so admirable a sacrament at the last supper, when, after the blessing of the bread and wine, He testified, in express and clear words, that He gave them His own very Body, and His own Blood; words which,—recorded by the holy Evangelists, and afterwards repeated by Saint Paul, whereas they carry with them that proper and most manifest meaning in which they were understood by the Fathers,—it is indeed a crime the most unworthy that they should be wrested, by certain contentious and wicked men, to fictitious and imaginary tropes, whereby the verity of the flesh and blood of Christ is denied, contrary to the universal sense of the Church, which, as *the pillar and ground of truth*, has detested, as satanical, these inventions devised by impious men; she recognising, with a mind ever grateful and unforgetting, this most excellent benefit of Christ.

(*) Almo.

CHAPTER II.

On the reason of the Institution of this most holy Sacrament.

Wherefore, our Saviour, when about to depart out of this world to the Father, instituted this Sacrament, in which He poured forth as it were the riches of His divine love towards man, *making a remembrance of his wonderful works*; ^(x) and He commanded us, in the participation thereof, to venerate His *memory*, and to *show forth his death until He come* ^(y) to judge the world. And He would also that this sacrament should be received as the spiritual food of souls, whereby may be fed and strengthened those who live with His life who said, *He that eateth me, the same also shall live by me*; ^(z) and as an antidote, whereby we may be freed from daily faults, and be preserved from mortal sins. He would, furthermore, have it be a pledge of our glory to come, and everlasting happiness, and thus be a symbol of that one body whereof He is the head, and to which He would fain have us as members be united by the closest bond of faith, hope, and charity, *that we might all speak the same things, and there might be no schisms amongst us.* ^(a)

CHAPTER III.

On the excellency of the most holy Eucharist over the rest of the Sacraments.

The most holy Eucharist has indeed this in common with the rest of the sacraments, that it is a symbol of a sacred thing, and is a visible form of an invisible grace; but there is found in the Eucharist this excellent and peculiar thing, that the other sacraments have then first the power of sanctifying when one uses them, whereas in the Eucharist, before being used, there is the

(x) Ps⁹ cx. 4.

(y) 1 Cor. xi. 26.

(z) John vi. 58.

(a) 1 Cor. i. 10.

Author Himself of sanctity. For the apostles had not as yet received the Eucharist from the hand of the Lord, when nevertheless Himself affirmed with truth that to be His own body which He presented (to them). And this faith has ever been in the Church of God, that, immediately after the consecration, the veritable Body of our Lord, and His veritable Blood, together with His soul and divinity, are under the species of bread and wine; but the Body indeed under the species of bread, and the Blood under the species of wine, by the force of the words; but the body itself under the species of wine, and the blood under the species of bread, and the soul under both,^(b) by the force of that natural connexion and concomitancy whereby the parts of Christ our Lord, *who hath now risen from the dead, to die no more*,^(c) are united together; and the divinity, furthermore, on account of the admirable hypostatical union thereof with His body and soul. Wherefore it is most true, that as much is contained under either species as under both; for Christ whole and entire is under the species of bread, and under any part whatsoever of that species; likewise the whole (Christ) is under the species of wine, and under the parts thereof.

CHAPTER IV.

On Transubstantiation.

And because that Christ, our Redeemer, declared that which He offered under the species of bread to be truly His own body, therefore has it ever been a firm belief in the Church of God, and this holy Synod doth now declare it anew, that, by the consecration of the bread and of the wine, a conversion is made^(d) of the whole substance of the bread into the substance of the body of Christ our Lord, and of the whole substance of the wine into the substance of His blood; which conversion is, by the holy Catholic Church, suitably and properly called Transubstantiation.

(b) Sub utraque, under each.

(c) 1 Cor. vi. 9.

(d) Conversionem fieri.

CHAPTER V.

On the cult and veneration to be shown to this most holy Sacrament.

Wherefore, there is no room left for doubt, that all the faithful of Christ may,^(e) according to the custom ever received in the Catholic Church, render in veneration the worship of latria, which is due to the true God, to this most holy sacrament. For not therefore is it the less to be adored on this account, that it was instituted by Christ, the Lord, in order to be received: for we believe that same God to be present therein, of whom the eternal Father, when introducing him into the world, says; *And let all the angels of God adore him*; ^(f) whom the Magi *falling down, adored*; ^(g) who, in fine, as the Scripture testifies, was adored by the apostles in Galilee.

The holy Synod declares, moreover, that very piously and religiously was this custom introduced into the Church, that this sublime and venerable sacrament be, with special veneration and solemnity, celebrated, every year, on a certain day, and that a festival; and that it be borne reverently and with honour in processions through the streets, and public places. For it is most just that there be certain appointed holy days, whereon all Christians may, with a special and unusual demonstration, testify that their minds are grateful and thankful^(h) to their common Lord and Redeemer for so ineffable and truly divine a benefit, whereby the victory and triumph of His death are represented. And so indeed did it behove victorious truth to celebrate a triumph over falsehood and heresy, that thus her adversaries, at the sight of so much splendour, and in the midst of so great joy of the universal Church, may either *pine away*⁽ⁱ⁾ weakened and broken; or, touched with shame and confounded, at length repent.

(e) Do exhibit, or render, quin exhibeant.

(f) Ps. xcvi. 7.

(g) Matt. ii. 11.

(h) Memores, forgetful.

(i) Ps. cxi. 10.

CHAPTER VI.

On reserving the Sacrament of the sacred Eucharist, and bearing it to the Sick.

The custom of reserving the holy Eucharist in the sacarium^(k) is so ancient, that even the age of the Council of Nicæa^(l) recognised that usage. Moreover, as to carrying the sacred Eucharist itself to the sick, and carefully reserving it for this purpose in churches, besides that it is exceedingly conformable to equity and reason, it is also found enjoined in numerous councils,^(m) and is a very ancient observance of the Catholic Church. Wherefore, this holy Synod ordains, that this salutary and necessary custom is to be by all means retained.

CHAPTER VII.

On the preparation to be given that one may worthily receive the sacred Eucharist.

If it is unbecoming for any one to approach to any of the sacred functions, unless he approach holily; assuredly, the more the holiness and divinity of this heavenly sacrament are understood by a Christian, the more diligently ought he to give heed that he approach not to receive it but with great reverence and holiness, especially as we read in the Apostle those words full of terror; *He that eateth and drinketh unworthily, eateth and drinketh judgment to himself.*⁽ⁿ⁾ Wherefore, he who would communicate, ought to recal to mind the precept of the Apostle; *Let a man prove himself.*^(o) Now ecclesiastical usage declares that necessary proof to be, that no one, conscious to himself

(k) In sacratio, sacred place, or vessel.

(l) Nicæn. I. c. 13.

(m) Concil. Rhem. c. 2, 10, Labbe T. v. p. 1693; Concil. Later. sub. Innoc. III. c. 26; Concil. Ancyr, c. 6; Concil. Agathens. c. 15.

(n) 1 Cor. xi. 29.

(o) v. 28.

of mortal sin, how contrite soever he may seem to himself, ought to approach to the sacred Eucharist without previous sacramental confession. This the holy Synod hath decreed is to be invariably observed by all Christians, even by those priests on whom it may be incumbent by their office to celebrate, provided the opportunity of a confessor do not fail them; but if, in an urgent necessity, a priest should celebrate without previous confession, let him confess as soon as possible.^(p)

CHAPTER VIII.

On the use of this admirable Sacrament.

Now as to the use of this holy sacrament, our Fathers^(q) have rightly and wisely distinguished three ways of receiving it. For they have taught that some receive it sacramentally only, to wit sinners: others spiritually only, those to wit who eating in desire that heavenly bread which is set before them, are, by a lively *faith which worketh by charity*,^(r) made sensible of the fruit and usefulness thereof: whereas the third (class) receive it both sacramentally and spiritually, and these are they who so *prove* and prepare themselves beforehand, as to approach to this divine table *clothed with the wedding garment*.^(s) Now as to the reception of the sacrament, it was always the custom in the Church of God, that laymen should receive the communion from priests; but that priests when celebrating should communicate themselves; which custom, as coming down from an apostolical tradition, ought with justice and reason to be retained. And finally this holy Synod with true fatherly affection admonishes, exhorts, begs, and beseeches, through the bowels of the mercy of our God, that all and each of those who bear the Christian name would now at length agree and be of one mind in this sign of unity, in this bond of charity, in this symbol of concord; and that, mindful of the so great majesty, and the so

(p) Quamprimum.

(q) S. August. c. Donat. sæpe; S. Prosper in lib. Sentent.

(r) Gal. v. 6.

(s) Matth. xxii. 11, 12.

exceeding love of our Lord Jesus Christ, who gave His own beloved soul as the price of our salvation, and gave us His own flesh to eat, they would believe and venerate these sacred mysteries of His body and blood with such constancy and firmness of faith, with such devotion of soul, with such piety and worship, as to be able frequently to receive that supersubstantial bread, and that it may be to them truly the life of the soul, and the perpetual health of their mind; that being invigorated by the strength thereof, they may, after the journeying of this miserable pilgrimage, be able to arrive at their heavenly country, there to eat, without any veil, that same bread of angels which they now eat under the sacred veils.

But forasmuch as it is not enough to declare the truth, if errors be not laid bare and repudiated, it hath seemed good to the holy Synod to subjoin these canons, that all,—the Catholic doctrine being already recognised,—may now also understand what are the heresies which they ought to guard against and avoid.

ON THE MOST HOLY SACRAMENT OF THE EUCHARIST.

CANON I.—If any one denieth, that, in the sacrament of the most holy Eucharist, are contained truly, really, and substantially, the body and blood together with the soul and divinity of our Lord Jesus Christ, and consequently the whole Christ; but saith that He is only therein as in a sign, or in figure, or virtue; let him be anathema.

CANON II.—If any one saith, that, in the sacred and holy sacrament of the Eucharist, the substance of the bread and wine remains conjointly with the body and blood of our Lord Jesus Christ, and denieth that wonderful and singular conversion of the whole substance of the bread into the Body, and of the whole substance of the wine into the Blood—the species only of the bread and wine remaining—which conversion indeed the Catholic Church most aptly calls Transubstantiation; let him be anathema.

CANON III.—If any one denieth, that, in the venerable sacrament of the Eucharist, the whole Christ is contained under each

species, and under every part of each species, when separated;^(t) let him be anathema.

CANON IV.—If any one saith, that, after the consecration is completed, the body and blood of our Lord Jesus Christ are not in the admirable sacrament of the Eucharist, but (are there) only during the use, whilst it is being taken, and not either before or after; and that, in the hosts, or consecrated particles, which are reserved or which remain after communion, the true Body of the Lord remaineth not; let him be anathema.

CANON V.—If any one saith, either that the principal fruit of the most holy Eucharist is the remission of sins, or, that other effects do not result therefrom; let him be anathema.

CANON VI.—If any one saith, that, in the holy sacrament of the Eucharist, Christ, the only-begotten Son of God, is not to be adored with the worship, even external of latria; and is, consequently, neither to be venerated with a special festive solemnity, nor to be solemnly borne about in processions, according to the laudable and universal rite and custom of holy church; or, is not to be proposed^(v) publicly to the people to be adored, and that the adorers thereof are idolators; let him be anathema.

CANON VII.—If any one saith, that it is not lawful for the sacred Eucharist to be reserved in the *sacrarium*,^(w) but that, immediately after consecration, it must necessarily be distributed amongst those present; or, that it is not lawful that it be carried with honour to the sick; let him be anathema.

CANON VIII.—If any one saith, that Christ, given^(x) in the Eucharist, is eaten spiritually only, and not also sacramentally and really; let him be anathema.

CANON IX.—If any one denieth, that all and each of Christ's faithful of both sexes are bound, when they have attained to years of discretion, to communicate every year, at least at Easter, in accordance with the precept of holy Mother Church; let him be anathema.

(t) Separatione facta, when a separation has been made.

(v) Proponendum, set before, exposed.

(w) In sacrario.

(x) exhibitum, presented.

CANON X.—If any one saith, that it is not lawful for the celebrating priest to communicate himself; let him be anathema.

CANON XI.—If any one saith, that faith alone is a sufficient preparation for receiving the sacrament of the most holy Eucharist; let him be anathema. And for fear lest so great a sacrament may be received unworthily, and so unto death and condemnation, this holy Synod ordains and declares, that sacramental confession, when a confessor may be had, ⁽⁷⁾ is of necessity to be made beforehand, by those whose conscience is burthened with mortal sin, how contrite even soever they may think themselves. But if any one shall presume to teach, preach, or obstinately to assert, or even in public disputation to defend the contrary, he shall be thereupon ⁽⁸⁾ excommunicated.

DECREE ON REFORMATION.

CHAPTER I.

Bishops shall apply themselves with prudence to reform the manners of their subjects: from the correction of those bishops there shall be no appeal.

The same sacred and holy Synod,—lawfully assembled in the Holy Ghost, the same legate and nuncios of the Apostolic See presiding therein,—purposing to ordain certain things which relate to the jurisdiction of bishops, in order that they may, in accordance with the decree of the last Session, so much the more willingly reside in the churches committed to them, by how much they shall be able, with greater ease and convenience, to rule and to keep in propriety of life and conversation those subject to them, thinks it meet that the bishops be first of all admonished to bear in mind, that they are pastors and not *strikers* ^(a), and that they ought so to preside over those subject to them, as not to *lord it over* them ^(b), but to love them as sons and brethren; and to strive, by exhortation and admonition,

⁽⁷⁾ Habita copia confessoria.

^(a) Titus i. 7.

⁽⁸⁾ Eo ipso, by that very act.

^(b) Luke xxii. 25.

to deter them from what is unlawful, that they may not be obliged, should they transgress, to coerce them by due punishments. Towards whom, however, should they happen to sin in any manner through human frailty, that injunction of the apostle is by bishops to be observed, that they *reprove, entreat, rebuke them in all kindness and doctrine*; ^(c) seeing that benevolence towards those to be corrected often effects more than austerity; exhortation more than menace; charity more than power. But if, on account of the grievousness of the transgression, there be need of *the rod*, then is rigour to be tempered with gentleness, judgment with mercy, severity with lenity; that so discipline, so salutary and necessary for the people, may be preserved without harshness; and they who are chastened may be amended, or, if they will not repent, that others, by the wholesome example of their punishment, may be deterred from vices; since it is the office of a pastor, at once vigilant and kind, to apply first of all gentle fomentations to the disorders of his sheep, and afterwards to proceed to sharper and more violent remedies, when the grievousness of the distemper may require them; but if not even these are effectual in removing those disorders, then is he to free the other sheep at least from the danger of contagion. Whereas, therefore, those guilty of crimes, ordinarily, in order to avoid punishment, and to evade the judgments of their bishops, affect to have subjects of complaint and grievances, and, under the subterfuge of an appeal, impede the process of the judge, (this Synod) in order to prevent a remedy which was instituted for the protection of innocence, from being abused to the defence of wickedness, and that this their craft and tergiversation may be met, hath ordained and decreed that: In causes relative to visitation and correction, or to competency or incompetency, as also in criminal causes, there shall be no appeal, before the definitive sentence, from the bishop or his vicar general in spirituals, against any interlocutory sentence, or other (alleged) grievance, whatsoever; neither shall the bishop, nor his vicar, be bound to defer to any

(c) Tim. iv. 2.

such appeal, as being frivolous; but they may proceed to ulterior measures, that appeal, or any inhibition whatsoever emanating from a judge of appeal, as also every usage and custom even immemorial, to the contrary notwithstanding; except it be that the said grievance cannot be repaired by the definitive sentence, or that there is no appeal from the said definitive sentence; in which cases the statutes of the ancient canons shall remain untouched.

CHAPTER II.

An appeal from the bishop in criminal causes, when to be committed to the Metropolitan, or to one of the nearest bishops.

A case of appeal—where there is room for such appeal—from the sentence of the bishop, or that of his vicar general, shall, if it happen to be a case committed by apostolic authority to judges on the spot, be referred to the metropolitan, or even to his vicar general in spirituals; or if that metropolitan be for some cause suspected, or be distant more than two days' journey as settled by law, or if it be from him that the appeal is made, the case shall be committed to one of the nearest bishops, or to the vicars thereof, but not to inferior judges.

CHAPTER III.

The acts of the first instance shall, within thirty days, be given gratuitously to the accused appellant.

The accused who is in a criminal cause an appellant from the bishop, or from his vicar general in spirituals, shall absolutely produce, before the judge to whom he has appealed, the acts of the first instance; and the judge shall by no means proceed, without having seen them, to the absolution of the accused. And he, from whom the appeal is made, shall furnish, on the demand (of the appellant), the said acts gratuitously within thirty days; otherwise the said case of appeal shall be terminated without them, in the way that justice may require.

CHAPTER IV.

In what manner clerics are, on account of grievous crimes, to be degraded from sacred Orders.

And whereas crimes so grievous are sometimes committed by ecclesiastics, that, on account of the atrocity thereof, they have to be deposed from sacred orders, and delivered over to a secular court; in which case a certain number of bishops is, according to the Canons, required;^(d) and whereas, should there be a difficulty in assembling them all, the due execution of the law would be retarded; whilst, should they on any occasion be able to be present, their residence would be interrupted; therefore hath the Synod resolved and decreed, that it shall be lawful for a bishop, by himself or by his vicar general in spirituals, without the presence even of other bishops, to proceed against a cleric, even against one who is raised to the sacred order of the priesthood, even to his condemnation, as also to his verbal deposition; and he shall be able by himself to proceed even to actual and solemn degradation from the said ecclesiastical orders and degrees, in the cases wherein the presence of other bishops, in a specific number, is required by the Canons; taking, however, to himself, and being assisted therein by, a like number of abbots, who have the right of using the mitre and crosier by apostolic privilege, if so be that they can be found in the city, or diocese, and can conveniently be present; or in their default, (being assisted) by (a like number of) other persons constituted in ecclesiastical dignity, who are of weight by their age and recommended by their knowledge of law.

CHAPTER V.

The bishop shall take summary cognizance of graces whereby a sin, or a punishment, is remitted.

And because it sometimes happens that, under false pleas, which notwithstanding seem probable enough, certain persons

(d) Concil. Hispal. II. c. 6.

fraudulently obtain graces, whereby the punishments inflicted on them by the just severity of their bishops are either wholly remitted, or are mitigated ; and whereas it is a thing not to be borne, that a lie, which is so exceedingly displeasing to God, should not only itself go unpunished, but even obtain for him that tells it, the pardon of another crime ; the Synod hath for this cause ordained and decreed as follows : That a bishop, resident in his own church, shall of himself, as the delegate of the Apostolic See, take cognizance even summarily of the surreption or obreption of any grace, obtained under false pretences,^(c) for the absolution of any public crime or delinquency, into which he himself had instituted an inquiry ; or for the remission of a punishment to which he has himself condemned the criminal ; and he shall not admit the said grace, after that it shall have been lawfully ascertained, that it was obtained by the statement of what is false, or by the suppression of the truth.

CHAPTER VI.

A bishop shall not be personally cited, save in a case involving deposition, or deprivation.

And whereas the subjects of a bishop, even though they have been justly chastened, do often nevertheless bear him a violent hatred, and, as if they had suffered some wrong at his hands, object false accusations against him, in order that they may annoy him by whatsoever means lie in their power,—the fear of which annoyance doth for the most part render the bishop more backward in inquiring into and punishing delinquencies ; therefore, that a bishop may not be compelled—both to his own great inconvenience and that of his Church—to abandon the flock entrusted to him, and that he may not be forced—not without the diminution of the episcopal dignity—to wander from place to place, (the Synod) hath thus ordained and decreed : That a

(c) Precibus, prayers.

bishop, even though he be proceeded against *ex officio*, or by way of inquiry, or denunciation, or accusation, or in any other way whatsoever, shall not be cited or warned to appear in person, except for a cause for which he might have to be deposed from, or deprived of, his office.

CHAPTER VII.

The qualifications of witnesses against a bishop are described.

In a criminal cause, witnesses shall not be received against a bishop, whether as to the information, or proofs, or other process affecting the principal point of the case, unless their testimony agree, and they be of a good life, in good esteem and reputation; and if they shall have made any deposition through hatred, rashness, or interest, they shall be subjected to grievous punishments.

CHAPTER VIII.

Important episcopal causes shall be taken cognizance of by the Supreme Pontiff.

The causes of bishops, when, on account of the quality of the crime objected, they have to appear (in person), shall be carried before the Sovereign Pontiff, and be by him decided.

DECREE FOR POSTPONING THE DEFINITION OF FOUR ARTICLES TOUCHING THE SACRAMENT OF THE EUCHARIST, AND FOR GIVING A SAFE-CONDUCT TO PROTESTANTS.

The same holy Synod,—desiring to pluck out of the field of the Lord all the errors which like thorns have sprung up again on the subject of this most holy sacrament, and wishing to provide for the salvation of all the faithful, her daily prayers being devoutly offered up to Almighty God for this end,—amongst the other articles, relative to this sacrament, which have been treated of with the most diligent inquiry into Catholic truth; very many and most accurate conferences, according to

the importance of the matters, having been held, and the sentiments also of the most eminent theologians having been ascertained; has likewise treated of these following: whether it be necessary to salvation, and be prescribed of divine right, that all the faithful of Christ receive the said venerable sacrament under both species. And; whether he who communicates under either species receive less than he who communicates under both. And; whether holy Mother Church hath erred, by communicating, under the species of bread only, the laity, and priests when not celebrating. And; whether little children also are to be communicated. But whereas those, of the most noble province of Germany, who call themselves Protestants, desire to be heard by the holy Synod upon these said articles before they are defined, and for this end have asked for the public faith^(f) from the Synod, that they may be allowed to come hither in safety, dwell in this city, speak freely and set forth their sentiments before the Synod, and afterwards depart when they please; this holy Synod,—although It has looked forward with great earnestness for many months past for their coming, nevertheless, as an affectionate mother that groaneth and travaileth, most ardently desiring and labouring after this, that, amongst those who bear the Christian name, there may be no schisms, but that, even as all acknowledge the same God and Redeemer, so may all *say the same thing*, believe the same, think the same,—trusting in the mercy of God, and hoping that the result will be that they may be brought back to the most holy and salutary concord of one faith, hope, and charity, (and) yielding to them herein, hath, as far as the said Synod is concerned, given and granted, according to their request, a public assurance and faith, which they call a safe-conduct, of the tenor which will be set down below; and for their sakes It hath postponed the definition of those articles to the second next Session, which, that they may conveniently be present thereat, It hath indicted for the festival of the conversion of Saint Paul, which will be on the twenty-fifth day of the month of January of the ensuing year. And It furthermore ordains, that the

(f) Fidem, assurance.

sacrifice of the mass, on account of the close connexion between the two subjects, shall be treated of in the same Session; and that meanwhile It will treat of the sacraments of Penance and Extreme Unction in the next Session, which It hath decreed is to be held on the festival of Saint Catharine, virgin and martyr, which will be the twenty-fifth of November; and that at the same time, in both Sessions, the matter of reformation shall be proceeded with.

SAFE-CONDUCT GRANTED TO PROTESTANTS.

The sacred and holy, general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legate and Nuncios of the holy Apostolic See presiding therein,—grants, as far as regards the holy Synod itself, to all and each one throughout the whole of Germany, whether ecclesiastics or Seculars, of whatsoever degree, estate, condition, quality they be, who may wish to repair to this œcumenical and general Council, the public faith and full security, which they call a safe-conduct, with all and each of the necessary and suitable clauses and decrees, even though they ought to be expressed specifically and not in general terms, and which it is Its wish shall be considered as expressed, so as that they may and shall have it in their power in all liberty to confer, make proposals, and treat on those things which are to be treated of in the said Synod; to come freely and safely to the said œcumenical Council, and there remain and abide, and propose therein, as well in writing as by word of mouth, as many articles as to them shall seem good, and to confer and dispute, without any abuse or contumely, with the Fathers, or with those who may have been selected by the said holy Synod; as also to withdraw whensoever they shall think fit. It hath furthermore seemed good to the holy Synod, that if, for their greater liberty and security, they desire that certain judges be deputed on their behalf, in regard of crimes whether committed, or that may be committed, by them, they shall themselves nominate those who are favourable towards them, even though the said crimes should be ever so enormous and should savour of heresy.

SESSION THE FOURTEENTH,

*Being the fourth under the Sovereign Pontiff, Julius III.,
celebrated on the twenty-fifth of November, MDLI.*

ON THE MOST HOLY SACRAMENTS OF PENANCE AND EXTREME UNCTION.

Doctrine on the Sacrament of Penance.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legate and Nuncios of the holy Apostolic See presiding therein,—although, in the decree concerning Justification, there has been, through a certain kind of necessity, on account of the affinity of the subjects, much discourse introduced touching the sacrament of Penance; nevertheless, so great, in these our days, is the multitude of various errors relative to this sacrament, that it will be of no small public utility to have given thereof a more exact and full definition, wherein, all errors having been, under the protection of the Holy Ghost, pointed out and extirpated, Catholic truth may be made clear and resplendent; which (Catholic truth) this holy Synod now sets before all Christians to be perpetually retained.

CHAPTER I.

On the necessity, and on the institution of the Sacrament of Penance.

If such, in all the regenerate, were their gratitude towards God, as that they constantly preserved the justice received in baptism by His bounty and grace; there would not have been need for another sacrament, besides that of baptism itself, to be instituted for the remission of sins. But because God, *rich in mercy, knows our frame,*^(*) He hath bestowed a remedy of life even on

(*) Ps. cii. 14.

those who may, after baptism, have delivered themselves up to the servitude of sin and the power of the devil,—the sacrament to wit of Penance, by which the benefit of the death of Christ is applied to those who have fallen after baptism. Penitence was indeed at all times necessary, in order to attain to grace and justice, for all men who had defiled themselves by any mortal sin, even for those who begged to be washed by the sacrament of Baptism; that so, their perverseness renounced and amended, they might, with a hatred of sin and a godly sorrow of mind, detest so great an offence of God. Wherefore the prophet says; *Be converted and do penance for all your iniquities, and iniquity shall not be your ruin.*^(h) The Lord also said; *Except you do penance, you shall also likewise perish;*⁽ⁱ⁾ and Peter, the prince of the apostles, recommending penitence to sinners who were about to be initiated by baptism, said; *Do penance, and be baptized every one you.*^(k) Nevertheless, neither before the coming of Christ was penitence a sacrament, nor is it such, since His coming, to any previously to baptism. But the Lord then principally instituted the sacrament of penance, when, being raised from the dead, He breathed upon His disciples, saying, *Receive ye the Holy Ghost, whose sins you shall forgive, they are forgiven them, and whose sins you shall retain, they are retained.*^(l) By which action so signal, and words so clear, the consent of all the Fathers has ever understood, that the power of *forgiving and retaining sins* was communicated to the apostles and their lawful successors, for the reconciling of the faithful who have fallen after baptism. And the Catholic Church with great reason repudiated and condemned as heretics, the Novatians, who of old obstinately denied that power of forgiving. Wherefore, this holy Synod, approving of and receiving as most true this meaning of those words of our Lord, condemns the fanciful interpretations of those who, in opposition to the institution of this sacrament, falsely wrest those words to the power of preaching the word of God, and of announcing the Gospel of Christ.

(h) Ezech. xviii. 30.

(i) Luke xiii. 5.

(k) Acts ii. 38.

(l) John xx. 23.

CHAPTER II.

On the difference between the Sacrament of Penance and that of Baptism.

For the rest, this sacrament is clearly seen to be different from baptism in many respects: for besides that it is very widely different indeed in matter and form, which constitute the essence of a sacrament, it is beyond doubt certain that the minister of baptism need not be a judge, seeing that the Church exercises judgment on no one who has not entered therein through the gate of baptism. For, *what have I, saith the apostle, to do to judge them that are without?*^(m) It is otherwise with those who are of *the household of the faith*, whom Christ our Lord has once, by the laver of baptism, made the members of His own body; for such, if they should afterwards have defiled themselves by any crime, He would no longer have them cleansed by a repetition of baptism—that being nowise lawful in the Catholic Church—but be placed as criminals before this tribunal; that, by the sentence of the priests, they might be freed, not once, but as often as, being penitent, they should, from their sins committed, flee thereunto. Furthermore, one is the fruit of baptism, and another that of penance. For, by baptism *putting on Christ*,⁽ⁿ⁾ we are made therein entirely a new creature, obtaining a full and entire remission of all sins; unto which newness and entireness, however, we are no ways able to arrive by the sacrament of Penance, without many tears and great labours on our parts, the divine justice demanding this; so that penance has justly been called by holy Fathers a laborious kind of baptism.^(o) And this sacrament of Penance is, for those who have fallen after baptism, necessary unto salvation; as baptism itself is for those who have not as yet been regenerated.

(m) 1 Cor. v. 12.

(n) Gal. iii. 23.

(o) Gr. Naz. or. 39; J. Damasc. L. IV. de Fide, c. 10.

CHAPTER III.

On the parts, and on the fruit of this Sacrament.

The holy synod doth furthermore teach, that the form of the sacrament of penance, wherein its force principally consists, is placed in those words of the minister, *I absolve thee*, &c; to which words indeed certain prayers are, according to the custom of holy Church, laudably joined, which nevertheless by no means regard the essence of that form, neither are they necessary for the administration of the sacrament itself. But the acts of the penitent himself, to wit, contrition, confession and satisfaction, are as it were the matter ^(p) of this sacrament. Which acts, inasmuch as they are, by God's institution, required in the penitent for the integrity of the sacrament, and for the full and perfect remission of sins, are for this reason called the parts of penance. But the thing signified ^(q) indeed and the effect of this sacrament, as far as regards its force and efficacy, is reconciliation with God, which sometimes, in persons who are pious and who receive this sacrament with devotion, is wont to be followed by peace and serenity of conscience, with exceeding consolation of spirit. The holy Synod, whilst delivering these things touching the parts and the effect of this sacrament, condemns at the same time the opinions of those who contend, that, the terrors which agitate the conscience, and faith, are the parts of penance.

CHAPTER IV.

On Contrition.

Contrition, which holds the first place amongst the aforesaid acts of the penitent, is a sorrow of mind, and a detestation for sin committed, with the purpose of not sinning for the future.^(r)

(p) Quasi materia.

(q) Res.

(r) Animi dolor, ac detestatio de peccato commisso, cum proposito non peccandi de cætero.

This movement of contrition was at all times necessary for obtaining the pardon of sins; and, in one who has fallen after baptism, it then at length prepares for the remission of sins, when it is united with confidence in the divine mercy, and with the desire of performing the other things which are required for rightly receiving this sacrament. Wherefore the holy Synod declares, that this contrition contains not only a cessation from sin, and the purpose and the beginning of a new life, but also a hatred of the old^(*), agreeably to that saying; *Cast away from you all your iniquities, wherein you have transgressed, and make to yourselves a new heart and a new spirit.*^(†) And assuredly he who has considered those cries of the saints; *To thee only have I sinned, and have done evil before thee,*^(‡) *I have laboured in my groaning, every night I will wash my bed,*^(§) *I will recount to thee all my years, in the bitterness of my soul,*^(||) and others of this kind, will easily understand that they flowed from a certain vehement hatred of their past life, and from an exceeding detestation of sins. The Synod teaches moreover, that, although it sometimes happen that this contrition is perfect through charity, and reconciles man with God before this sacrament be actually received, the said reconciliation, nevertheless, is not to be ascribed to that contrition, independently of the desire of the sacrament which is included therein. And as to that imperfect contrition, which is called attrition, because that it is commonly conceived either from the consideration of the turpitude of sin, or from the fear of hell and of punishment, It declares that if, with the hope of pardon, it exclude the wish to sin,^(v) it not only does not make a man a hypocrite, and a greater sinner, but that it is even a gift of God, and an impulse of the Holy Ghost,—who does not indeed as yet dwell in the penitent, but only moves him,—whereby the penitent being assisted prepares a way for himself unto justice. And although this (attrition) cannot of itself, without the sacrament of penance, conduct the sinner to justification, yet does it dispose him to obtain the grace of God in the sacrament of

(*) Veteris, past.

(†) Ezech. xviii. 31.

(‡) Ps. l. 6.

(§) Ps. vi. 7.

(||) Is. xxxviii. 16.

(v) Voluntatem peccandi.

Penance. For, smitten profitably with this fear, the Ninivites, at the preaching of Jonas, did fearful penance and obtained mercy from the Lord. Wherefore falsely do some calumniate Catholic writers, as if they had maintained that the sacrament of Penance confers grace without any good motion on the part of those who receive it: a thing which the Church of God never taught, or thought: and falsely also do they assert that contrition is extorted and forced, not free and voluntary.

CHAPTER V.

On Confession.

From the institution of the sacrament of Penance as already explained, the universal Church has always understood, that the entire confession of sins was also instituted by the Lord, and is of divine right necessary for all who have fallen after baptism; because that our Lord Jesus Christ, when about to ascend from earth to heaven, left priests His own vicars, as presidents and judges, unto whom all the mortal crimes, into which the faithful of Christ may have fallen, should be carried,⁽²⁾ in order that, in accordance with the power of the keys, they may pronounce the sentence of forgiveness or retention of sins.⁽³⁾ For it is manifest, that priests could not have exercised this judgment without knowledge of the cause; neither indeed could they have observed equity in enjoining punishments, if the said faithful should have declared their sins in general only, and not rather specifically, and one by one. Whence it is gathered that all the mortal sins, of which, after a diligent examination of themselves, they are conscious, must needs be by penitents enumerated in confession, even though those sins be most

(2) Deferantur, should be accused.

(3) This passage may also be rendered: that, in accordance with the power of the keys for the forgiveness or retention of sins, they may pronounce sentence.

hidden, and committed only against the two last precepts of the decalogue,—sins which sometimes wound the soul more grievously, and are more dangerous, than those which are committed outwardly. For venial sins, whereby we are not excluded from the grace of God, and into which we fall more frequently, although they be rightly and profitably, and without any presumption declared in confession, as the custom of pious persons demonstrates, yet may they be omitted without guilt, and be expiated by many other remedies. But, whereas all mortal sins, even those of thought, render men *children of wrath*,^(b) and enemies of God, it is necessary to seek also for the pardon of them all from God, with an open and modest confession. Wherefore, while the faithful of Christ are careful to confess all the sins which occur to their memory, they without doubt lay them all bare before the mercy of God to be pardoned: whereas they who act otherwise, and knowingly keep back certain sins, such set nothing before the divine bounty to be forgiven through the priest: for if the sick be ashamed to show his wound to the physician, his medical art cures not that which it knows not of. We gather furthermore, that those circumstances which change the species of the sin are also to be explained in confession, because that, without them, the sins themselves are neither entirely set forth by the penitents, nor are they known clearly to the judges; and it cannot be that they can estimate rightly the grievousness of the crimes, and impose on the penitents, the punishment which ought to be inflicted, on account of them. Whence it is unreasonable to teach, that these circumstances have been invented by idle men; or, that one circumstance only is to be confessed, to wit, that one has sinned against a brother. But it is also impious to assert, that confession, enjoined to be made in this manner, is impossible, or to call it a slaughter-house of consciences: for it is certain, that in the Church nothing else is required of penitents, but that, after each has examined himself diligently, and searched all the folds and recesses of his conscience, he confess those sins by which he shall remember that he has mortally offended

(b) Ephes. ii. 3.

his Lord and God: whilst the other sins, which do not occur to him after diligent thought, are understood to be included as a whole^(c) in that same confession; for which sins we confidently say with the prophet; *From my secret sins cleanse me, O Lord.*^(d) Now, the very difficulty of a confession like this, and the shame of making known one's sins, might indeed seem a grievous thing, were it not alleviated by the so many and so great advantages and consolations, which are most assuredly bestowed by absolution upon all who worthily approach to this sacrament. For the rest, as to the manner of confessing secretly to a priest alone, although Christ has not forbidden that a person may,—in punishment of his sins, and for his own humiliation, as well for an example to others as for the edification of the Church that has been scandalized,—confess his sins publicly, nevertheless this is not commanded by a divine precept; neither would it be very prudent^(e) to enjoin by any human law, that sins, especially such as are secret, should be made known by a public confession. Wherefore, whereas the secret sacramental confession, which was in use from the beginning in holy Church, and is still also in use, has always been commended by the most holy and the most ancient Fathers with a great and unanimous consent, the vain calumny of those is manifestly refuted, who are not ashamed to teach, that confession is alien from the divine command, and is a human invention, and that it took its rise from the Fathers assembled in the Council of Lateran: for the Church did not, through the Council of Lateran, ordain that the faithful of Christ should confess,—a thing which it knew to be necessary, and to be instituted of divine right,—but that the precept of confession should be complied with, at least once a year, by all and each, when they have attained to years of discretion. Whence, throughout the whole Church, the salutary custom is, to the great benefit of the souls of the faithful, now observed, of confessing at that most sacred and most acceptable time of Lent,—a custom which this holy Synod most highly approves of and embraces, as pious and worthy of being retained.

(c) In universum.

(d) Ps. xviii. 13.

(e) Satis consulte.

CHAPTER VI.

On the ministry of this Sacrament, and on Absolution.

But, as regards the minister of this sacrament, the holy Synod declares all these doctrines to be false, and utterly alien from the truth of the Gospel, which perniciously extend the ministry of the keys to any others soever besides bishops and priests; imagining, contrary to the institution of this sacrament, that those words of our Lord, *Whatsoever you shall bind upon earth, shall be bound also in heaven, and whatsoever you shall loose upon earth shall be loosed also in heaven,*^(f) and, *Whose sins you shall forgive, they are forgiven them, and whose sins you shall retain, they are retained,*^(g) were in such wise addressed to all the faithful of Christ indifferently and indiscriminately, as that every one has the power of forgiving sins,—public sins to wit by rebuke, provided he that is rebuked shall acquiesce, and secret sins by a voluntary confession made to any individual whatsoever. It also teaches, that even priests, who are in mortal sin, exercise, through the virtue of the Holy Ghost which was bestowed in ordination, the office of forgiving sins, as the ministers of Christ; and that their sentiment is erroneous who contend that this power exists not in bad priests. But although the absolution of the priest is the dispensation of another's bounty, yet is it not a bare ministry only, whether of announcing the Gospel, or of declaring that sins are forgiven, but is after the manner of a judicial act, whereby sentence is pronounced by the priest as by a judge: and therefore the penitent ought not so to confide^(h) in his own personal faith, as to think that,—even though there be no contrition on his part, or no intention on the part of the priest of acting seriously and absolving truly,—he is nevertheless truly and in God's sight absolved, on account of his faith alone. For neither would

(f) Matth. xviii. 18.

(g) John xx. 23

(h) *Sibi blandiri*, flatter himself upon.

faith without penance bestow any remission of sins ; nor would he be otherwise than most careless of his own salvation, who, knowing that a priest but absolved him in jest, should not carefully seek for another who would act in earnest.

CHAPTER VII.

On the Reservation of Cases.

Wherefore, since the nature and order of a judgment require this, that sentence be passed only on those subject (to that judicature), it has ever been firmly held in the Church of God, and this Synod ratifies it as a thing most true, that the absolution, which a priest pronounces upon one over whom he has not either an ordinary or a deligated jurisdiction, ought to be of no weight whatever. And it hath seemed to our most holy Fathers to be of great importance to the discipline of the Christian people, that certain more atrocious and more heinous crimes should be absolved, not by all priests, but only by the highest priests : whence the Sovereign Pontiffs, in virtue of the supreme power delivered to them in the universal Church, were deservedly able to reserve, for their special judgment, certain more grievous cases of crimes. Neither is it to be doubted,—seeing that all things, that are from God, are well ordered—but that this same may be lawfully done by all bishops, each in his own diocese, unto edification, however, not unto destruction, in virtue of the authority, above (that of) other inferior priests, delivered to them over their subjects, especially as regards those crimes to which the censure of excommunication is annexed. But it is consonant to the divine authority, that this reservation of cases have effect, not merely in external polity, but also in God's sight. Nevertheless, for fear lest any may perish on this account, it has always been very piously observed in the said Church of God, that there be no reservation at the point of death, and that therefore all priests may absolve all penitents whatsoever from every kind of sins and censures whatever : and as, save at that point

of death, priests have no power in reserved cases, let this alone be their endeavour, to persuade penitents to repair to superior and lawful judges for the benefit of absolution.

CHAPTER VIII.

On the necessity and on the fruit of Satisfaction.

Finally, as regards satisfaction,—which as it is, of all the parts of penance, that which has been at all times recommended to the Christian people by our Fathers, so is it the one especially which in our age is, under the loftiest pretext of piety, impugned by those who have *an appearance of godliness, but have denied the power thereof*,⁽ⁱ⁾—the holy Synod declares, that it is wholly false, and alien from the word of God, that the guilt^(k) is never forgiven by the Lord, without the whole punishment also being therewith pardoned. For clear and illustrious examples are found in the sacred writings, whereby, besides by divine tradition, this error is refuted in the plainest manner possible. And truly the nature of divine justice seems to demand, that they, who through ignorance have sinned before baptism, be received into grace in one manner; and in another those who, after having been freed from the servitude of sin and of the devil, and after having received the gift of the Holy Ghost, have not feared, knowingly *to violate the temple of God*,^(l) *and to grieve the Holy Spirit*.^(m) And it beseems the divine clemency, that sins be not in such wise pardoned us without any satisfaction, as that, taking occasion therefrom, thinking sins less grievous, we, offering as it were an insult and an *outrage to the Holy Ghost*,⁽ⁿ⁾ should fall into more grievous sins, *treasuring up wrath against the day of wrath*.^(o) For, doubtless, these satisfactory punishments greatly recall from sin, and check as it were with a bridle, and make penitents more cautious and watchful for the future; they are also remedies for the remains

(i) 2 Tim. iii. 5.

(m) Ephes. iv. 30.

(k) Culpam.

(n) Hebr. x. 29.

(l) 1 Cor. iii. 17.

(o) Rom. ii. 4.

of sin, and, by acts of the opposite virtues, they remove the habits acquired by evil living. Neither indeed was there ever in the Church of God any way accounted surer to turn aside the impending chastisement of the Lord, than that men should, with true sorrow of mind, practise these works of penitence. Add to these things, that, whilst we thus, by making satisfaction, suffer for our sins, we are made conformable to Jesus Christ, who satisfied for our sins, from whom all our *sufficiency is*; ^(p) having also thereby a most sure pledge, that *if we suffer with him, we shall also be glorified with him* ^(q). But neither is this satisfaction, which we discharge for our sins, so our own, as not to be through Jesus Christ. For we who can do nothing of ourselves, as of ourselves, can do all things, He co-operating, who strengthens us. Thus, man has not wherein to glory, but all our glorying is in Christ: in whom we live; in whom we merit; in whom we satisfy; *bringing forth fruits worthy of penance*, ^(r) which from him have their efficacy; by him are offered to the Father; and through him are accepted by the Father. Therefore the priests of the Lord ought, as far as the Spirit and prudence shall suggest, to enjoin salutary and suitable satisfactions, according to the quality of the crimes and the ability of the penitent; lest, if haply they connive at sins, and deal too indulgently with penitents, by enjoining certain very light works for very grievous crimes, they be made partakers of other men's sins. But let them have in view, that the satisfaction, which they impose, be not only for the preservation of a new life and a medicine of infirmity, ^(s) but also for the avenging and punishing of past sins. For the ancient Fathers likewise both believe and teach, that the keys of the priests were given, not to *loose* only, but also to *bind*. But not therefore did they imagine that the sacrament of Penance is a tribunal of wrath or of punishments; even as no Catholic ever thought, that, by this kind of satisfactions on our parts, the efficacy of the merit and of the satisfaction of our Lord Jesus Christ is either obscured,

(p) 2 Cor. iii. 5.

(q) Rom. viii. 17.

(r) Matth. iii. 18

(s) *Infirmittatis medicamentum*, a remedy against weakness.

or in any way lessened: which when the innovators seek to understand, they in such wise maintain a new life to be the best penance, as to take away the entire efficacy and use of satisfaction.

CHAPTER IX.

On Works of Satisfaction.

The Synod teaches furthermore, that so great is the liberality of the divine munificence, that we are able through Jesus Christ to make satisfaction to God the Father, not only by punishments voluntarily undertaken of ourselves for the punishment of sin, or by those imposed at the discretion of the priest according to the measure of our delinquency, but also, which is a very great proof of love, by the temporal scourges inflicted of God, and borne patiently by us.

ON THE SACRAMENT OF EXTREME UNCTION.

It hath also seemed good to the holy Synod, to subjoin, to the preceding doctrine on penance, the following on the sacrament of Extreme Unction, which by the Fathers was regarded as being the completion, not only of penance, but also of the whole Christian life, which ought to be a perpetual penance. First, therefore, as regards its institution, It declares and teaches, that our most gracious Redeemer,—who would have his servants at all times provided with salutary remedies against all the weapons of all their enemies,—as, in the other sacraments, He prepared the greatest aids, whereby, during life, Christians may preserve themselves whole from every more grievous spiritual evil, so did He guard the close of life, by the sacrament of Extreme Unction, as with a most firm defence. For though *our adversary* seeks and seizes opportunities, all our life long, to be able in any way to *devour* our souls; yet is there no time wherein he strains more vehemently all the powers of his craft to ruin us utterly, and, if he can possibly, to make us fall even from trust in the mercy of God, than when he perceives the end of our life to be at hand.

CHAPTER I.

On the Institution of the Sacrament of Extreme Unction.

Now, this sacred unction of the sick was instituted by Christ our Lord, as truly and properly a sacrament of the new law, insinuated indeed in Mark, but recommended and promulgated to the faithful by James the Apostle, and brother of the Lord. *Is any man, he saith, sick among you? Let him bring in the priests of the Church, and let them pray over him, anointing him with oil in the name of the Lord: and the prayer of faith shall save the sick man; and the Lord shall raise him up; and if he be in sins, they shall be forgiven him.*^(†) In which words, as the Church has learned from apostolic tradition, received from hand to hand, he teaches the matter, the form, the proper minister, and the effect of this salutary sacrament. For the Church has understood the matter thereof to be oil blessed by a bishop. For the unction very aptly represents the grace of the Holy Ghost, with which the soul of the sick person is invisibly anointed; and furthermore that those words, "By this unction," &c. are the form.

CHAPTER II.

On the Effect of this Sacrament.

Moreover the thing signified^(‡) and the effect of this sacrament are explained in those words; *And the prayer of faith shall save the sick man, and the Lord shall raise him up, and if he be in sins they shall be forgiven him.* For the thing here signified is the grace of the Holy Ghost; whose anointing cleanses away sins, if there be any still to be expiated, as also the remains of sins; *and raises up* and strengthens the soul of the sick person, by exciting in him a great confidence in the

(†) James v. 14, 15.

(‡) Res.

divine mercy; whereby the sick being supported, bears more easily the inconveniences and pains of his sickness; and more readily resists the temptations of the devil who *lies in wait for his heel*; (w) and at times obtains bodily health, when expedient for the welfare of the soul.

CHAPTER III.

On the Minister of this Sacrament, and on the time when it ought to be administered.

And now as to prescribing who ought to receive, and who to administer this sacrament, this also was not obscurely delivered in the words above cited. For it is there also shown, that the proper ministers of this sacrament are the *Presbyters of the Church*; by which name are to be understood, in that place, not the elders by age, or the foremost in dignity amongst the people, but, either bishops, or priests by bishops rightly ordained *by the imposition of the hands of the priesthood*. (x) It is also declared, that this unction is to be applied to the sick, but to those especially who lie in such danger as to seem to be about to depart this life: whence also it is called the sacrament of the departing. And if the sick should, after having received this unction, recover, they may again be aided by the succour of this sacrament, when they fall into another like danger of death. Wherefore, they are on no account to be hearkened to, who, against so manifest and clear a sentence (y) of the apostle James, teach, either that this unction is a human figment or is a rite received from the Fathers, which neither has a command from God, nor a promise of grace: nor those who assert that it has already ceased, as though it were only to be referred to the grace of healing in the primitive church; nor those who say that the rite and usage which the holy Roman Church observes in the administration of this sacrament is repugnant to the sentiment of the apostle James, and that it is therefore to be changed

(w) Gen. iii. 15.

(x) 1 Tim. iv. 14.

(y) Sententiam.

into some other : nor finally those who affirm that this Extreme Unction may without sin be contemned by the faithful : for all these things are most manifestly at variance with the perspicuous words of so great an apostle. Neither assuredly does the Roman Church, the mother and mistress of all other churches, observe aught in administering this unction,—as regards those things which constitute the substance of this sacrament,—but what blessed James has prescribed. Nor indeed can there be contempt of so great a sacrament without a heinous sin, and an injury to the Holy Ghost himself. These are the things which this holy œcumenical Synod professes and teaches and proposes to all the faithful of Christ, to be believed and held, touching the sacraments of Penance and Extreme Unction. And it delivers the following canons to be inviolably preserved ; and condemns and anathematizes those who assert what is contrary thereto.

ON THE MOST HOLY SACRAMENT OF PENANCE.

CANON I.—If any one saith, that in the Catholic Church Penance is not truly and properly a sacrament, instituted by Christ our Lord for reconciling the faithful unto God, as often as they fall into sin after baptism ; let him be anathema.

CANON II.—If any one, confounding the sacraments, saith that baptism is itself the sacrament of Penance, as though these two sacraments were not distinct, and that therefore Penance is not rightly called a second plank after shipwreck ; let him be anathema.

CANON III.—If any one saith, that those words of the Lord the Saviour, *Receive ye the Holy Ghost, whose sins you shall forgive, they are forgiven them, and whose sins you shall retain, they are retained,*^(*) are not to be understood of the power of forgiving and of retaining sins in the sacrament of penance, as the Catholic Church has always from the beginning understood them ; but wrests them, contrary to the institution of this sacrament, to the power of preaching the gospel ; let him be anathema.

(*) John xx. 22, 23.

CANON IV.—If any one denieth, that, for the entire and perfect remission of sins, there are required three acts in the penitent, which are as it were the matter of the sacrament of Penance, to wit, contrition, confession, and satisfaction, which are called the three parts of penance; or saith that there are two parts only of penance, to wit, the terrors with which the conscience is smitten upon being convinced of sin, and the faith, generated^(a) by the gospel, or by the absolution, whereby one believes that his sins are forgiven him through Christ; let him be anathema.

CANON V.—If any one saith, that the contrition which is acquired by means of the examination, collection, and detestation of sins,—whereby one *thinks over his years in the bitterness of his soul*,^(b) by pondering on the grievousness, the multitude, the filthiness of his sins, the loss of eternal blessedness, and the eternal damnation which he has incurred, having therewith the purpose of a better life,—is not a true and profitable sorrow, does not prepare for grace, but makes a man a hypocrite and a greater sinner; in fine, that this (contrition) is a forced and not free and voluntary sorrow; let him be anathema.

CANON VI.—If any one denieth, either that sacramental confession was instituted, or is necessary to salvation, of divine right; or saith, that the manner of confessing secretly to a priest alone, which the Church hath ever observed from the beginning, and doth observe, is alien from the institution and command of Christ, and is a human invention; let him be anathema.

CANON VII.—If any one saith, that, in the sacrament of Penance, it is not necessary, of divine right, for the remission of sins, to confess all and singular the mortal sins which after due and diligent previous meditation are remembered, even those (mortal sins) which are secret, and those which are opposed to the two last commandments of the Decalogue, as also the circumstances which change the species of a sin; but (saith) that such confession is only useful to instruct and console the penitent, and that it was of old only observed in order to impose a

(a) Conceptam, conceived.

(b) Is. xxxviii. 15.

canonical satisfaction ; or saith that they, who strive to confess all their sins, wish to leave nothing to the divine mercy to pardon ; or, finally, that it is not lawful to confess venial sins ; let him be anathema.

CANON VIII.—If any one saith, that the confession of all sins, such as it is observed in the Church, is impossible, and is a human tradition to be abolished by the godly ; or that all and each of the faithful of Christ, of either sex, are not obliged thereunto once a year, conformably to the constitution of the great Council of Lateran,^(c) and that, for this cause, the faithful of Christ are to be persuaded not to confess during Lent ; let him be anathema.

CANON IX.—If any one saith, that the sacramental absolution of the priest is not a judicial act, but a bare ministry of pronouncing and declaring sins to be forgiven to him who confesses ; provided only he believe himself to be absolved, or (even though) the priest absolve not in earnest, but in joke ; or saith, that the confession of the penitent is not required, in order that the priest may be able to absolve him ; let him be anathema.

CANON X.—If any one saith, that priests, who are in mortal sin, have not the power of binding and of loosing ; or, that not priests alone are the ministers of absolution, but that, to all and each of the faithful of Christ is it said : *Whatsoever you shall bind upon earth shall be bound also in heaven ; and whatsoever you shall loose upon earth, shall be loosed also in heaven ;*^(d) *and, whose sins you shall forgive, they are forgiven them ; and whose sins you shall retain, they are retained ;*^(e) by virtue of which words every one is able to absolve from sins, to wit, from public sins by reproof only, provided he who is reprovèd yield thereto, and from secret sins by a voluntary confession ; let him be anathema.

CANON XI.—If any one saith, that bishops have not the right of reserving cases to themselves, except as regards external polity, and that therefore the reservation of cases hinders not but that a priest may truly absolve from reserved cases ; let him be anathema.

(c) Cap. omnis utriusque.

(d) Matth. xviii. 18.

(e) John xx. 23.

CANON XII.—If any one saith, that God always remits the whole punishment together with the guilt, and that the satisfaction of penitents is no other than the faith whereby they apprehend^(f) that Christ has satisfied for them; let him be anathema.

CANON XIII.—If any one saith, that satisfaction for sins, as to their temporal punishment, is nowise made to God, through the merits of Jesus Christ, by the punishments inflicted by Him, and patiently borne, or by those enjoined by the priest, nor even by those voluntarily undertaken, as by fastings, prayers, alms-deeds, or by other works also of piety; and that, therefore, the best penance is merely a new life; let him be anathema.

CANON XIV.—If any one saith, that the satisfactions, by which penitents redeem their sins through Jesus Christ, are not a worship of God, but traditions of men, which obscure the doctrine of grace, and the true worship of God, and the benefit itself of the death of Christ; let him be anathema.

CANON XV.—If any one saith, that the keys are given to the Church, only *to loose*, not also *to bind*; and that, therefore, priests act contrary to the purpose^(s) of the keys, and contrary to the institution of Christ, when they impose punishments on those who confess; and that it is a fiction, that, after the eternal punishment, has, by virtue of the keys, been removed, there remains for the most part a temporal punishment to be discharged; let him be anathema.

ON THE SACRAMENT OF EXTREME UNCTION.

CANON I.—If any one saith, that Extreme Unction is not truly and properly a sacrament, instituted by Christ our Lord, and promulgated by the blessed apostle James; but is only a rite received from the Fathers, or a human figment; let him be anathema.

CANON II.—If any one saith, that the sacred unction of the sick does not confer grace, nor remit sin, nor comfort^(h) the sick; but that it has already ceased, as though it were of old only the grace of working cures; let him be anathema.

(f) apprehendunt, account, esteem.

(s) Finem, end.

(h) Alleviare, raise up.

CANON III.—If any one saith, that the rite and usage of Extreme Unction, which the holy Roman Church observes, is repugnant to the sentiment of the blessed apostle James, and that is therefore to be changed, and may, without sin, be condemned by Christians; let him be anathema.

CANON IV.—If any one saith, that the *Presbyters of the Church*, whom blessed James exhorts to be brought to anoint the sick, are not the priests who have been ordained by a bishop, but the elders in each community, and that for this cause a priest alone is not the proper minister of Extreme Unction; let him be anathema.

DECREE ON REFORMATION.

Proëm.

It is the office of bishops to admonish their subjects, especially those appointed to the cure of souls, of their duty.

Whereas it is properly the office of bishops to reprove the vices of all who are subject to them, this will have to be principally their care,—that clerics, especially those appointed to the cure of souls, be blameless; and that they do not, with their connivance, lead a disorderly life: for if they suffer them to be of evil and corrupt conversation, how shall they reprove the laity for their vices, when they themselves can be by one word silenced by them, for that they suffer clerics to be worse than they? And with what freedom shall priests be able to correct laymen, when they have to answer silently to themselves, that they have committed the very things which they reprove? Wherefore, bishops shall charge their clergy, of whatsoever rank they be, that they be a guide to the people of God committed to them, in conduct, conservation, and doctrine; being mindful of that which is written, *Be holy for I also am holy*⁽ⁱ⁾ And, agreeably to the admonition of the apostle; *Let them not give*

(i) 1 Peter i. 16.

offence to any man, that their ministry be not blamed; but in all things let them exhibit themselves as the ministers of God,^(k) lest that saying of the prophet be fulfilled in them, *The priests of God defile the sanctuaries, and despise the law.*^(l) But, in order that the said bishops may be able to execute this with greater freedom, and may not be hindered therein under any pretext whatever, the same sacred and holy, œcumenical and general Synod of Trent, the same legate and nuncios of the Apostolic See presiding therein, has thought fit that these canons following be established and decreed.

CHAPTER I.

If any, being prohibited, or interdicted, or suspended, advance to orders, they shall be punished.

Whereas it is more beseeming and safe for one that is subject, by rendering due obedience to those set over him, to serve in an inferior ministry, than, to the scandal of those set over him, to aspire to the dignity of a more exalted degree; to him, unto whom the ascent to sacred orders shall have been interdicted by his own prelate, from whatsoever cause, be it even on account of some secret crime, or in what manner soever, even extra-judicially; and to him who shall have been suspended from his own orders, or ecclesiastical degrees and dignities; no license, conceded against the will of that said prelate, for causing himself to be promoted, nor any restoration to former orders, degrees, dignities and honours, shall be of any avail.

CHAPTER II.

If a bishop shall confer any orders whatsoever on one not subject to him, be he even his own domestic, without the express consent of that individual's proper prelate, both shall be subjected to an appointed punishment.

And forasmuch as certain bishops of churches which are *in partibus infidelium*, (in the districts of unbelievers), having

(k) 1 Cor. vi. 3, 4.

(l) Ezech. xxii. 26.

neither clergy nor Christian people, and being in a manner wanderers, having no fixed see, and seeking not the things of Christ, but other's sheep without the knowledge of their own pastor, finding themselves prohibited by this holy Synod from exercising episcopal functions in the diocese of another, without the express permission of the ordinary of the place, and then only in regard of those who are subject to the said ordinary, do, by an evasion and in contempt of the law, of their own rashness choose as it were an episcopal chair ^(m) in a place which is not of any diocese, and presume to mark with the clerical character, and to promote even to the sacred orders of the priesthood, any that come unto them, even though they have no commendatory letters from their own bishops, or prelates; whence it for the most part comes to pass, that, persons being ordained who are but little fit, and are uninstructed and ignorant, and who have been rejected by their own bishops as incapable and unworthy, they are neither able rightly to perform the divine offices, nor to administer the sacraments of the Church: none of the bishops, who are called titular, even though they may reside, or tarry in a place within no diocese, even though it be exempted, or in a monastery of whatsoever order, shall, by virtue of any privilege granted them to promote during a certain time such as come unto them, be able to ordain, or to promote to any sacred or minor orders, or even to the first tonsure, the subject of another bishop, even under the pretext of his being his domestic fed constantly at his own table, without the express consent of, or without letters demissory from that individual's own bishop. The contravener shall be *ipso jure* suspended during a year from the exercise of pontifical functions; and the person so promoted shall in like manner be suspended from the exercise of the orders so received, for as long as to his own prelate shall seem fit.

(m) Quasi episcopalem cathedram....eligunt.

CHAPTER III.

The bishop may suspend his clerics, who have been improperly promoted by another, if he find them incompetent.

The bishop may suspend, for the time that shall seem to him fit, from the exercise of the orders received, and may interdict from ministering at the altar, or from exercising the functions of any order, any of his clerics, especially those who are in sacred orders, who have been, without his previous examination and commendatory letters, promoted by any authority whatsoever; even though they shall have been approved of as competent by him who has ordained them, but whom he himself shall find but little fit and able to celebrate the divine offices, or to administer the sacraments of the Church.

CHAPTER IV.

No cleric shall be exempt from the correction of the bishop, even out of the time of visitation.

All prelates of the churches, who ought diligently to apply themselves to correct the excesses of their subjects,—and from whose jurisdiction, by the statutes of this holy Synod, no cleric is, under the pretext of any privilege soever, considered screened, so as not to be able to be visited, punished and corrected, in accordance with the appointments of the canons,—provided those prelates be resident in their own churches,—shall have power, as delegates for this end of the Apostolic See, to correct and punish, even out of the times of visitation, all Secular clerics,—howsoever exempted, who would otherwise be subject to their jurisdiction,—for their excesses, crimes, and delinquencies, as often as, and whensoever there shall be need; no exemptions, declarations, customs, sentences, oaths, concordates, which only bind the authors thereof, being of any avail to the said clerics,

or to their relatives, chaplains, domestics, agents,⁽ⁿ⁾ or to any others whatsoever, in view and in consideration of the said exempted clerics.

CHAPTER V.

The jurisdiction of Conservators is confined within certain limits.

Moreover, whereas sundry persons, under the plea that divers wrongs and annoyances are inflicted on them in their goods, possessions, and rights, obtain certain judges to be deputed by means of letters conservatory, to protect and defend them from the said annoyances and wrongs, and to maintain and keep them in possession, or quasi-possession, of their goods, property, and rights, without suffering them to be molested therein; and whereas they pervert these letters, in many ways, to an evil meaning quite opposed to the intention of the donor;—therefore, these letters conservatory, whatsoever be their clauses or decrees, whatsoever be the judges deputed, or under whatsoever other kind of pretext or colour, these letters may have been granted, shall not avail any, of what dignity and condition soever, even though a Chapter, so as to screen the party from being capable of being, in criminal and mixed causes, accused and summoned, and from being examined and proceeded against before his own bishop, or other ordinary superior; or prevent him from being liable to be freely summoned before the ordinary judge, in the matter of any rights which may be pleaded as his from having been ceded to him. In civil causes also, if he be the plaintiff, it shall nowise be lawful for him to bring up any one for judgment^(o) before his own judges conservatory. And if, in those causes wherein he shall be the defendant, it shall happen that the conservator chosen by him shall be declared by the plaintiff to be one suspected by him, or if any dispute shall have arisen between the judges themselves, the conservator

⁽ⁿ⁾ Procuratoribus, proxies.

^(o) Judicium, trial.

to wit and the ordinary, concerning competency of jurisdiction, the cause shall not be proceeded with, until by arbitrators, chosen in legal form, a decision shall have been come to relative to the said suspicion, or competency of jurisdiction. Neither shall these letters conservatory be of any avail to the said party's domestics—who are in the habit of screening themselves thereby—save to two only, and this provided they live at his proper cost. Neither shall any one enjoy the benefit of such letters longer than for five years. It shall also not be lawful for conservatory judges to have any fixed tribunal.

As to causes which relate to wages and to destitute persons, the decree of this holy Synod thereupon shall remain in its full force. But general universities, colleges of doctors or scholars, places belonging to Regulars, as also hospitals wherein hospitality is actually exercised, and persons belonging to the said universities, colleges, places, and hospitals are not to be deemed included in this present canon, but are to be considered, and are, wholly exempted.

CHAPTER VI.

A penalty is decreed against clerics, who, being in sacred Orders, or holding benefices, do not wear a dress befitting their Order.

And forasmuch as, though the habit does not make the monk, it is nevertheless needful that clerics always wear a dress suitable to their proper order, that by the decency of their outward apparel they may show forth the inward correctness of their morals; but to such a pitch, in these days, have the contempt of religion and the rashness of some grown, as that, making but little account of their own dignity, and of the clerical honour, they even wear in public the dress of laymen—setting their feet in different paths, one of God, the other of the flesh;—for this cause, all ecclesiastical persons, howsoever exempted, who are either in sacred orders or in possession of any manner of dignities, personates, or other offices, or benefices ecclesiastical;

if, after having been admonished by their own bishop, even by a public edict,^(p) they shall not wear a becoming clerical dress, suitable to their order and dignity, and in conformity with the ordinance and mandate of the said bishop, they may, and ought to be, compelled thereunto, by suspension from their orders, office, benefice, and from the fruits, revenues, and proceeds of the said benefices; and also, if, after having been once rebuked, they offend again herein, (they are to be coerced) even by deprivation of the said offices and benefices; pursuant to the constitution of Clement V. published in the Council of Vienne, and beginning *Quoniam*, which is hereby renewed and enlarged.

CHAPTER VII.

Voluntary homicides are never to be ordained: in what manner involuntary homicides are to be ordained.

Whereas too, *he who has killed his neighbour on set purpose and by lying in wait for him, is to be taken away from the altar,*^(q) because he has voluntarily committed a homicide; even though that crime have neither been proved by ordinary process of law, nor be otherwise public, but is secret, such an one can never be promoted to sacred orders; nor shall it be lawful to confer upon him any ecclesiastical benefices, even though they have no cure of souls; but he shall be for ever excluded from every ecclesiastical order, benefice, and office. But if it be alleged that the homicide was not committed purposely but accidentally, or when repelling force by force that he might defend himself from death, in such wise that, by a kind of right, a dispensation ought to be granted, even for the ministry of sacred orders, and of the altar, and for any kind of benefice whatever and dignity,—the case shall be committed to the Ordinary of the place, or, if there be a cause for it, to the metropolitan, or to the nearest bishop; who shall not be able

(p) Edictum.

(q) Exod. xxi. 14.

to dispense, without having taken cognizance of the case, and after the prayers and allegations have been proved, and not otherwise.

CHAPTER VIII.

No one shall, by virtue of any privilege, punish the clerics of another.

Furthermore, forasmuch as there are sundry persons,—some of whom even are true pastors, and have their own sheep,—who seek also to rule over the sheep of others, and at times give their attention in such wise to the subjects of others, as to neglect the care of their own; no one, even though he be of episcopal dignity, who may have by privilege the power of punishing the subjects of another, shall by any means proceed against clerics not subject to him,—especially against such as are in sacred orders,—be they guilty of crimes ever so atrocious; except with the intervention of the proper bishop of the said clerics, if that bishop be resident in his own church, or of the person that may be deputed by the said bishop: otherwise, the proceedings, and all the consequences thereof, shall be wholly without effect.

CHAPTER IX.

The Benefices of one Diocese shall not, under any pretext, be united to the Benefices of another Diocese.

And forasmuch as it is with very good reason that dioceses and parishes have been made distinct, and to each flock their proper pastors have been assigned, and to inferior churches their rectors, each to take care of his own sheep, that so ecclesiastical order may not be confounded, or one and the same church belong in some sort to two dioceses, not without grievous inconvenience to such as are subject thereunto; the benefices of one diocese, be they even parochial churches, perpetual vicarages, simple benefices, prestimonies, or prestimonial portions, shall

not be united in perpetuity to a benefice, monastery, college, or even to a pious place, of another diocese, not even for the sake of augmenting divine worship, or the number of beneficiaries, or for any other cause whatsoever; thus herein explaining the decree of this holy Synod on the subject of these unions.

CHAPTER X.

Regular Benefices shall be conferred on Regulars.

Benefices of Regulars that have been accustomed to be granted in title to professed Regulars, when they happen to become vacant by the death of the titular incumbent, or by his resignation, or otherwise, shall be conferred on religious of that order only, or on persons who shall be absolutely bound to take the habit, and make that profession, and upon none others, that they *may not wear a garment that is woven of woollen and linen together.*^(r)

CHAPTER XI.

Those transferred to another order shall remain under obedience in enclosure, and shall be incapable of Secular Benefices.

But forasmuch as Regulars, after being transferred from one order to another, ordinarily obtain permission easily from their superior to remain out of their monastery, whereby occasion is given of their wandering about and apostatizing; no prelate or superior of any order shall be allowed, by virtue of any faculty whatsoever, to admit any individual to the habit and to profession, except with the view that he shall remain perpetually in enclosure under obedience to his own superior, in the order itself to which he is transferred; and one so transferred, even though he be a canon Regular, shall be wholly incapable of Secular Benefices, even of cures.

(r) Deut. xxii. 11.

CHAPTER XII.

No one shall obtain a right of patronage, except by means of a foundation, or an endowment.

No one, moreover, of whatsoever ecclesiastical or Secular dignity, can, or ought to, obtain, or acquire a right of patronage, for any other reason whatever, but that he has founded, and built anew, a church, benefice, or chapel; or that he has competently endowed, out of his own proper and patrimonial resources, (*) one already erected, which, however, is without a sufficient endowment. But, in case of such foundation or endowment, the institution thereof shall be reserved to the bishop, and not to some other inferior person.

CHAPTER XIII.

The Presentation shall be made to the Ordinary; otherwise the Presentation and Institution shall be null.

Furthermore, it shall not be lawful for a patron, under pretext of any privilege whatsoever, to present any one, in any way, to the benefices which are under his right of patronage, except to the ordinary bishop of the place, to whom the providing for, or the institution to, the said benefice would, that privilege ceasing, of right belong; otherwise the presentation and institution, which may have followed, shall be null, and as such reputed.

CHAPTER XIV.

That the Mass, Order, and Reformation, shall be next treated of.

The holy Synod declares, moreover, that, in the next Session, which It has already decreed is to be holden on the twenty-fifth

(*) Bonis, goods.

day of January, of the ensuing year, MDLII,—It will, together with the sacrifice of the mass, also apply itself to, and treat of the sacrament of order, and that the subject of reformation will be prosecuted.

SESSION THE FIFTEENTH,

Being the fifth under the Sovereign Pontiff, Julius III., celebrated on the twenty-fifth day of January, MDLII.

DECREE FOR PROROGUING THE SESSION.

Whereas, in pursuance of the decrees made in the last Sessions, this holy and universal Synod has, during these days, most accurately and diligently treated of the things which relate to the most holy sacrifice of the mass, and to the sacrament of order, with the view that, in the Session held on this day, It might publish, as the Holy Ghost should have suggested, decrees on these subjects, and on the four articles concerning the most holy sacrament of the Eucharist, which had been finally deferred to this Session ; and whereas it was thought that, in the interim, there would have presented themselves at this sacred and holy Council those who call themselves Protestants, for whose sake It had deferred the publication of the said articles, and to whom It had given the public faith, or a safe-conduct, that they might come freely and without any hesitation ; nevertheless, seeing that they have not as yet come, and the holy Synod has been petitioned in their name, that the publication which was to have been made on this day, be deferred to the following Session, an assured hope being held out that they will certainly be present long before that Session, upon receiving in the meanwhile a safe-conduct in a more ample form :—The same holy Synod, lawfully assembled in the Holy Ghost, the same Legate and Nuncios presiding, desiring nothing more ardently than to remove, from amongst the noble nation of Germany, all dissensions and schisms touching religion, and to provide for its tranquillity, peace, and repose ; being ready, should they come, both to receive

them kindly, and to listen to them favourably, and trusting that they will come, not with the design of obstinately opposing the Catholic Faith, but of learning the truth, and that they will at last, as becomes those zealous for evangelical truth, acquiesce in the decrees and discipline of holy Mother Church; (this Synod) has deferred the next Session,—therein to publish and promulgate the matters aforesaid,—till the festival of St. Joseph, which will be on the nineteenth day of the month of March; in order that they may have sufficient time and leisure, not only to come, but also to propose, before that day arrives, whatsoever they may wish. And, that It may take from them all cause for further delay, It freely gives and grants them the public faith, or a safe-conduct, of the tenour and form hereafter set down. But it ordains and decrees, that, in the meantime, It will treat of the sacrament of matrimony, and will give its decisions thereon, in addition to the publication of the above-named decrees, in the same Session, and will prosecute the subject of Reformation.

SAFE-CONDUCT GIVEN TO THE PROTESTANTS.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legate and Nuncios of the Apostolic See presiding therein,—adhering to the safe-conduct given in the last Session but one, and enlarging it in the manner following, certifies to all men, that by the tenour of these presents, It grants and wholly concedes the public faith, and the fullest and most true security, which they entitle a safe-conduct, to all and singular the priests, electors, princes, dukes, marquises, counts, barons, nobles, soldiers, commonalty, and to all other persons whatsoever, of what state, condition, or quality soever they may be, of the province and nation of Germany, and to the cities and other places thereof, and to all other ecclesiastical and Secular persons, especially those of the Confession of Augsburg, who shall come, or shall be sent with them, to this General Council of Trent, and to those that shall set forth, or have already repaired hither, by whatsoever name they are entitled, or may be designated,—to come freely to this city

of Trent, and there to remain, abide, sojourn, and to propose, speak and treat of, examine and discuss, any matters whatsoever together with the said Synod, and freely to present and set forth all whatsoever they may think fit, and any articles whatever, either in writing, or by word of mouth, and to explain, establish, and prove them by the sacred Scriptures, and by the words, passages, and reasons of the blessed Fathers, and to answer even, if it be needful, to the objections of the General Council; and to dispute, or to confer in charity, without any hindrance, with those who may have been selected by the Council, all opprobrious, railing, and contumelious language being utterly discarded; and in particular, that the controverted matters shall be treated of in the aforesaid Council of Trent, according to sacred Scripture, and the traditions of the apostles, approved Councils, the consent of the Catholic Church, and the authorities of the holy Fathers; with this further addition, that they shall not be punished under pretence of religion, or of offences already committed, or that may be committed, in regard thereof; as also, that the divine offices shall not, on account of their presence, be in any way interrupted, either upon the road, or in any place during their progress, their stay, or their return, or in the city of Trent itself; and that, upon these matters being concluded, or before they are concluded, if they, or any of them, shall wish, and whensoever such is their or his pleasure, or the command and leave of their superiors, to return to their own homes, they shall forthwith be able at their good pleasure, to return freely and securely, without any let, obstacle, or delay, without injury done to their property, or to the honour also and persons of their attendants respectively,—notifying, however, this their purpose of withdrawing to those who shall be deputed hereunto by the said Synod, that so, without deceit or fraud, proper measures may be taken for their safety. The holy Synod also wills that all clauses whatsoever, which may be necessary and useful for a full, effectual, and sufficient security in coming, sojourning, and returning, be included and comprised, and be accounted as comprised, in this public faith and safe-conduct. It also expressly declares, with a view to their greater security, and the blessing of peace and reconciliation, that if,

which God forbid, any one, or divers amongst them, should, either on the road when coming to Trent, or whilst sojourning at, or returning from, that same city, perpetrate or commit any heinous act, whereby the benefit of this public faith and assurance might be annulled and cease, that It wills and grants, that the persons discovered in any such crime shall be forthwith punished by their own countrymen, and not by others, with a proportionate chastisement and a sufficient reparation, which the Synod on its part may justly approve of and commend—the form, conditions, and terms of the safe-conduct remaining wholly untouched thereby. It also reciprocally wills, that if, which God forbid, any one, or divers, of this Synod, should, either on the road, or whilst sojourning at, or returning therefrom, perpetrate or commit any heinous act, whereby the benefit of this public faith and assurance may be violated, or in any way set aside, the persons discovered in any such crime shall be forthwith punished by the Synod itself, and not by others, with a proportionate chastisement and a sufficient reparation, which the Germans of the Confession of Augsburg, who may be present here at the time, may on their part justly approve of and commend,—the present form, conditions and terms of the safe-conduct remaining wholly untouched thereby. The said Synod also wills, that all and each of the ambassadors shall be allowed to go out of the city of Trent to take the air, as often as it shall be convenient or necessary, and to return thither; as also freely to send or despatch their messenger or messengers to any places whatsoever, according as their affairs may require, and to receive the said messengers or messenger, despatches or despatch, as often as they shall think fit; so as however one or more be associated therewith by the deputies of the Council, to provide for the safety of the said couriers. And this safe-conduct and security shall stand good and endure, both from and during the time that they shall have been received under the care of the said Synod, and the protection of its agents; and further, after they have had a sufficient audience, and twenty days having expired after they have themselves asked, or after the Council, upon that audience had, shall have given them notice, to return, It will, all deceit and fraud being entirely excluded, reconduct

them, with God's help, from Trent to that place of safety which each may select for himself. All which things, It promises and in good faith pledges Itself, shall be inviolably observed towards all and each of the faithful of Christ, towards all ecclesiastical and Secular princes, and towards all ecclesiastical and Secular persons, of whatsoever state and condition they may be, or by whatsoever name designated.

Furthermore, It promises in sincere and good faith, without fraud or deceit, that the said Synod will neither openly nor covertly seek for any opportunity; nor make use of, nor suffer any one else to make use of, any authority, power, right, or statute, privilege of laws or canons, or of any Councils whatsoever, especially those of Constance and Sienna, under what form soever expressed,—to the prejudice in any way of this public faith, and most full security, and of the public and free hearing, by this said Synod granted to the above-named;—derogating from the aforesaid in this regard and for this occasion.

And if the holy Synod, or any member thereof, or of their followers, of whatsoever condition, state or pre-eminence, shall violate—which may the Almighty forefend—the form and terms of the security and safe-conduct as above set down, in any point or clause whatever, and a sufficient reparation shall not have forthwith followed, and one that may with reason be approved of and praised by the (interested) parties themselves; they may and shall hold the said Synod to have incurred all those penalties, which, by law human and divine, or by custom, the violators of such safe-conducts can possibly incur;—without there being any excuse or contrary allegation in this regard.

SESSION THE SIXTEENTH,

Being the sixth, and last under the Sovereign Pontiff, Julius III., celebrated on the twenty-eighth day of April, MDLII.

DECREE FOR THE SUSPENSION OF THE COUNCIL.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the most reverend lords, Sebastian, Archbishop of Siponto, and Aloysius, Bishop of Verona, Apostolic Nuncios, presiding therein, as well in their own names as in that of the most reverend and illustrious lord, the Legate Marcellus Crescenzo, Cardinal of the holy Roman Church, of the title of Saint Marcellus, who is absent by reason of a most grievous illness,—doubts not that it is well known to all Christians, that this œcumenical Council of Trent was first convoked and assembled by Paul, of happy memory, and was afterwards, at the instance of the most august Emperor, Charles V., restored by our most holy lord, Julius III., for this cause especially, that It might bring back to its pristine state, religion which was miserably divided into diverse opinions in many parts of the world, and especially in Germany; and might amend the abuses and the most corrupt manners of Christians; and whereas very many Fathers, without any regard to their personal labours and dangers, had for this end cheerfully assembled together from different countries, and the business was proceeded with earnestly and happily, in the midst of a great concourse of the faithful, and there was no slight hope that those Germans who had excited these novelties would come to the Council, and that so disposed as to acquiesce unanimously in the truthful reasons of the Church; when a kind of light, in fine, seemed to have dawned upon things; and the Christian commonwealth, before so cast-down and afflicted, began to lift up its head; of a sudden such tumults and wars were enkindled

by the craft of the enemy of mankind, that the Synod was at much inconvenience compelled as it were to pause, and to interrupt its course, and all hope was taken away of further progress at that time; and so far was the holy Synod from remedying the evils and troubles existing amongst Christians, that, contrary to its intention, It irritated rather than calmed the minds of many. Whereas, therefore, the said holy Synod perceived that all places, and especially Germany, were in a flame with arms and discord; that almost all the German bishops, and in particular the Electoral Princes, had withdrawn from the Council, in order to provide for their own churches; It resolved, not to struggle against so pressing a necessity, but to be silent till better times; that so the Fathers, who could not now act, might return to their own churches to take care of their own sheep, and no longer wear away their time in unemployment, useless in both regards. And accordingly, for that the state of the times has so required, It decrees that the progress of this œcumenical Synod of Trent shall be suspended during two years, as It doth suspend it by this present decree; with this condition however, that if things be settled sooner, and the former tranquillity restored, which It hopes will happen before long through the blessing of the all good and all powerful God, the progress of the Council shall be considered (as resumed, and) to have its full force, power and authority. But if, which may God forefend, the lawful impediments aforesaid shall not have been removed at the expiration of the two years, the said suspension shall, as soon as those impediments shall have ceased, be thereupon accounted removed, and the Council shall be, and be understood to be, restored to its full force and authority, without another fresh convocation thereof, the consent and authority of his Holiness, and of the holy Apostolic See, having been given to this decree.

Meanwhile, however, this holy Synod exhorts all Christian princes, and all prelates, to observe, and respectively to cause to be observed, as far as they are concerned, in their own kingdoms, dominions, and churches, all and singular the things which have been hitherto ordained and decreed by this sacred œcumenical Council.

BULL FOR THE CELEBRATION OF THE COUNCIL OF TRENT, UNDER THE
SOVEREIGN PONTIFF, PIUS IV.

Paul, Bishop, servant of the servants of God, for the perpetual memory hereof.

Immediately on being called, by the alone mercy of God, to the Government of the Church, though unequal to so great a burthen, casting the eyes of our mind over every part of the Christian commonweal, and beholding, not without great horror, how far and wide the pestilence of heresy and schism had penetrated, and how much the morals of the Christian people stood in need of correction; we began, as the duty of our office required, to apply our care and thoughts to the means of extirpating the said heresies, of doing away with so great and so pernicious a schism, and of amending morals so much corrupted and depraved. And whereas we were sensible that, for the healing of these evils, that remedy was the most suitable which this Holy See had been accustomed to apply, we formed the resolution of convoking, and, with God's help, of celebrating an œcumenical and general Council. That Council had indeed been already indicted by our predecessors, Paul III., of happy memory, and by Julius, his successor; but, having been often hindered and interrupted from various causes, It could not be brought to a conclusion. For Paul, after having indicted it first for the city of Mantua, then for Vicenza, he, for certain reasons expressed in his letters, first of all suspended, and afterwards transferred It to Trent. Then, after that the time of Its celebration had been, for certain reasons, then also postponed, at length, the suspension having been removed, It was begun, in the said city of Trent. But, after a few Sessions had been held, and certain decrees made, the said Council afterwards, for certain reasons, with the concurrence also of the Apostolic See, transferred Itself to Bologna. But Julius, who succeeded him, recalled it to the same city of Trent, at which time certain other decrees were made. But as fresh tumults were raised in the neighbouring parts of Germany, and a most fierce war was enkindled in Italy and France, the Council was again suspended

and postponed; the enemy of mankind, to wit, striving, and throwing difficulties upon difficulties and hindrances in the way, to retard at least as long as possible, though unable entirely to prevent, a thing so advantageous to the Church. But how greatly, meanwhile, the heresies were increased and multiplied, and propagated, how widely schism spread, we can neither think of, nor tell without the greatest sorrow of mind. But at length the Lord, good and merciful, who is never so *angry* as not to *remember mercy*,⁽¹⁾ vouchsafed to grant peace and unanimity to Christian kings and princes. Which opportunity being offered us, we have, relying on His mercy, conceived the strongest hope that, by the said means of a Council, an end may be put to these so grievous evils of the Church. We, therefore, have judged that the celebration thereof is no longer to be deferred; to the end that schisms and heresies may be taken away; that morals may be corrected and reformed; that peace may be preserved amongst Christian princes. Wherefore, upon mature deliberation had with our venerable brethren the Cardinals of the holy Roman Church, and having also acquainted with this our purpose our most dearly beloved sons in Christ, Ferdinand, Emperor elect of the Romans, and other kings and princes whom,—even as we had promised ourselves from their exceeding piety and wisdom,—we found very ready to aid in the celebration of the said Council: We,—to the praise, honour, and glory of Almighty God, and for the good of the Universal Church, with the advice and assent of our said venerable brethren, and relying on and supported by the authority of God Himself, and of the Blessed Apostles Peter and Paul, which (authority) we also exercise on earth,—indict a sacred œcumenical and general Council in the city of Trent for the next ensuing most sacred day of the Lord's Resurrection; and We ordain and appoint, that, all suspension soever removed, It be there celebrated. Wherefore, We do earnestly exhort and admonish in the Lord, and we do also strictly charge and command,—by virtue of holy obedience, and by the obligation of the oath which they have taken, and under the penalties which

(1) Habac. iii. 2.

they know are appointed by the sacred canons against those who neglect to assemble at general Councils,—our venerable brethren of all nations, patriarchs, archbishops, bishops, and our beloved sons the abbots, and others who, by common law, or by privilege, or ancient custom, are allowed to sit, and give their opinion in a general Council, to meet, by the aforesaid day, there to celebrate a Council; unless they happen to be hindered by a lawful impediment, which impediment nevertheless they shall be bound to prove to the Synod by lawful proctors. We furthermore admonish all and each, whom it doth and may concern, that they fail not to be present at the Council. And we exhort and beseech our most dearly beloved sons in Christ, the Emperor elect of the Romans, and the other Christian kings and princes,—who it were sincerely to be wished could be present at the Council,—that, should they not be able to be themselves present thereat, they would send at least prudent, grave, and pious men as their ambassadors, to be present thereat in their name; and that they take diligent care, worthy of their piety, that the prelates of their kingdoms and dominions perform, without denial or delay, their duty to God and the Church at this so urgent a conjuncture: doubting not they will also provide that there be kept a safe and free passage through their kingdoms and dominions for the prelates and their domestics, attendants, and all others who are proceeding to or returning from the Council, and that they be treated and received in all places kindly and courteously; as we also will similarly provide as far as we are concerned, who have resolved not to omit anything that can by us, who have been placed in this position, be done towards the completion of so pious and salutary a work; seeking, as God knows, nothing else, proposing nothing else, in celebrating this Council, but the honour of God, the recovery and the salvation of the sheep that are scattered, and the perpetual tranquillity and repose of the Christian commonweal. And to the end that this letter, and the contents thereof may come to the knowledge of all whom it concerns, and that none may plead as an excuse that he knew not thereof, especially as there may not, perhaps, be free access to all, who ought to be made acquainted with this our letter: We will and

ordain that, in the Vatican Basilica of the prince of the apostles, and in the Lateran Church, at the time when the people is wont to assemble there to be present at the solemnities of the mass, it be publicly read in a loud voice by officers of our court, or by certain public notaries; and that it be, after being read, affixed to the doors of the said churches, also to the gates of the apostolic Chancery, and to the usual place in the Campo di Fiore, where it shall for some time be left to be read by and made known to all men: and when removed thence, copies thereof shall remain affixed in those same places. For we will that, by being so read, published, and affixed, this letter shall oblige and bind, after an interval of two months from the day of being published and affixed, all and each of those whom it includes, even as if it had been communicated and read to them in person. And we ordain and decree, that, without any doubt, faith be given to copies thereof written, or subscribed, by the hand of a public notary, and guaranteed by the seal of some person constituted in ecclesiastical dignity. Wherefore, let no one infringe this our letter of indiction, statute, decree, precept, admonition and exhortation, or with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His Blessed Apostles, Peter and Paul. Given at Rome, at Saint Peter's, in the year MDLX of the Lord's Incarnation, on the third of the calends of December,^(u) in the first year of our Pontificate.

ANTONIUS FLORIBELLUS LAVELLINUS.

BARENGUS.

^(u) November 29.

SESSION THE SEVENTEENTH,

Of the Holy, Œcumenical, and General Council of Trent, being the first under the Sovereign Pontiff, Pius IV., celebrated on the eighteenth day of January, MDLXII.

DECREE FOR CELEBRATING THE COUNCIL.

Doth it please you, unto the praise and glory of the Holy and Undivided Trinity, Father, and Son, and Holy Ghost, for the increase and exaltation of the faith, and of the Christian religion, that the sacred, œcumenical, and general Council of Trent, lawfully assembled in the Holy Ghost, be, all manner of suspension removed, celebrated from this day—being the eighteenth of the month of January, in the year MDLXII from our Lord's Nativity, consecrated to the chair of Blessed Peter—according to the form and tenour of the letter of our most holy Lord, the Sovereign Pontiff, Pius IV.; and that, due order being observed, those things be treated of therein, which, the Legates and Presidents proposing, (v) shall to the said holy Synod appear suitable and proper, for assuaging the calamities of these times, appeasing controversies concerning religion, restraining deceitful tongues, correcting the abuses of depraved manners, and for procuring for the Church a true and Christian peace? *They answered: It pleaseth us.*

INDICTION OF THE NEXT SESSION.

Doth it please you that the next ensuing Session be held and celebrated on the Thursday after the second Sunday of Lent, which will be on the twenty-sixth day of the month of February? *They answered: It pleaseth us.*

(v) Proponentibus legatis ac præsentibus.

SESSION THE EIGHTEENTH,

Being the second under the Sovereign Pontiff, Pius IV., celebrated on the twenty-sixth day of February, MDLXII.

DECREE ON THE CHOICE OF BOOKS ; AND FOR INVITING ALL MEN ON THE
PUBLIC FAITH TO THE COUNCIL.

The sacred and holy, œumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein,—not confiding in human strength, but relying on the succour and assistance of our Lord Jesus Christ, who has promised that he would *give* to His Church *a mouth and wisdom*, hath especially in view to restore at length to its native purity and splendour, the doctrine of the Catholic faith, which is in many places defiled and obscured by the conflicting opinions of many who differ from each other ; to bring back, to a better method of life, manners, which have divaricated from ancient usage ; and to *turn the heart of the fathers unto the children*, and the heart of the children unto the fathers. Whereas, then, first of all, it has noticed that the number of suspected and pernicious books, wherein an impure doctrine is contained, and is disseminated far and wide, has in these days increased beyond measure, which indeed has been the cause that many censures have been, out of a godly zeal, published in divers provinces, and especially in the fair city of Rome,—and yet that no salutary remedy has availed against so great and pernicious a disorder ; It hath thought good, that Fathers specially chosen for this inquiry, should carefully consider what ought to be done in the matter of censures and of books, and also in due time report thereon to this holy Synod ; to the end that It may more easily separate the various and strange doctrines, as *cockle* from the *wheat* of Christian truth, and may more conveniently deliberate and determine, in regard thereof, that which shall seem best adapted to remove scruples from the minds of very many, and to do away with various causes of complaint.

And the Synod wishes all this to come to the knowledge of all persons whatsoever, as by this present decree It doth make them cognizant thereof; in order that if any person may think himself in any way concerned, either in this matter of books and censures, or in the other things which It has declared beforehand are to be treated of in this General Council, he may not doubt but that he will be kindly listened to by the Holy Synod.

And forasmuch as this said holy Synod heartily desires, and earnestly beseeches God for *the things that are for the peace of the Church*,^(x) that we all, acknowledging our common mother on earth, *who cannot forget the sons of her womb*,^(y) *with one mouth may glorify God, and the Father of our Lord Jesus Christ*;^(z) It invites and exhorts, by the bowels of the mercy of our same God and Lord, all who hold not communion with us, unto concord and reconciliation, and to come unto this holy Synod; to embrace *charity, which is the bond of perfection*, and to show forth *the peace of Christ rejoicing in their hearts, whereunto they are called, in one body*.^(a) Wherefore, in *hearing this voice*, not of man, but of the Holy Ghost, let them not *harden their hearts*,^(b) *but, walking not after their own sense*,^(c) nor *pleasing themselves*,^(d) let them be moved and converted by this so charitable and salutary an admonition of their own mother; for, as the holy Synod invites, so will It embrace them with all proofs of love.

Moreover, this same holy Synod has decreed, that the public faith may be granted in a general congregation, and that It shall have the same force, and shall be of the same authority and weight as if it had been given and decreed in public Session.

INDICTION OF THE NEXT SESSION.

The same sacred and holy Synod of Trent, lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See pre-

(x) Ps. cxxi. 6.

(y) Is. xlix. 15.

(z) Rom. xv. 6.

(a) Coloss. iii. 14, 15.

(b) Ps. xciv. 8.

(c) Ephes. iv. 17.

(d) Rom. xv. 3.

siding therein, resolves and decrees, that the next ensuing Session be held and celebrated on the Thursday after the most sacred festival of the Ascension of our Lord, which will be on the fourteenth day of the month of May.

SAFE-CONDUCT GRANTED TO THE GERMAN NATION,

In a General Congregation, on the fourth day of March, MDLXII.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein,—certifies to all men, that, by the tenour of these presents, It grants and wholly concedes the public faith, and the fullest and most true security, which they entitle a safe-conduct, to all and singular the priests, electors, princes, dukes, marquisses, counts, barons, nobles, soldiers, commonalty, and to all other persons whatsoever, of what state, condition, or quality soever they may be, of the province and nation of Germany, and to the cities and other places thereof, and to all the ecclesiastical and secular persons, especially those of the Confession of Augsburg, who shall come, or shall be sent with them to this General Council of Trent, and to those that shall set forth, or have already repaired hither, by whatsoever name they are entitled, or may be designated,—to come freely to this city of Trent, and there to remain, abide, sojourn, and to propose, speak, and treat of, examine and discuss any matters whatsoever together with the said Synod, and freely to present and set forth all whatsoever they may think fit, and any articles whatever, either in writing or by word of mouth, and to explain, establish, and prove them by the sacred Scriptures, and by the words, passages, and reasons of the blessed Fathers, and to answer even, if it be needful, to the objections of the General Council, and to dispute, or to confer in charity, without any hindrance with those who have been selected by the Council, all opprobrious, railing, and contumelious language being utterly discarded; and, in particular, that the controverted matters shall be treated of, in the aforesaid Council of Trent, according to sacred Scripture, and the traditions of the apostles,

approved Councils, the consent of the Catholic Church, and the authorities of the holy Fathers; with this further addition, that they shall not be punished under pretence of religion, or of offences already committed, or that may be committed, in regard thereof; as also, that the divine offices shall not, on account of their presence, be in any way interrupted, either upon the road, or in any place during their progress, their stay, or their return, or in the city of Trent itself; and that, upon these matters being concluded, or before they are concluded, if they, or any of them, shall wish, and whensoever such is their or his pleasure, or the command and leave of their superiors, to return to their own homes, they shall forthwith be able at their good pleasure, to return freely and securely, without any let, obstacle, or delay, without injury done to their property, or to the honour also and persons of their attendants respectively,—notifying, however, this their purpose of withdrawing, to those who shall be deputed hereunto by the said Synod, that so, without deceit or fraud, proper measures may be taken for their safety. The holy Synod also wills that all clauses whatsoever, which may be necessary and useful for a full, effectual, and sufficient security in coming, sojourning, and returning, be included and comprised, and be accounted as comprised, in this public faith and safe-conduct. It also expressly declares, with a view to their greater security, and the blessing of peace and reconciliation, that if, which God forbid, any one, or divers amongst them, should, either on the road when coming to Trent, or whilst sojourning at, or returning from that same city, perpetrate or commit any heinous act, whereby the benefit of this public faith and assurance might be annulled and quashed, that It wills and grants, that the persons discovered in any such crime shall be forthwith punished by their own countrymen, and not by others, with a proportionate chastisement and a sufficient reparation; which the Synod on its part may justly approve of and commend,—the form, conditions, and terms of their safe-conduct remaining wholly untouched thereby. It also reciprocally wills, that if, which God forbid, any one, or divers, of this Synod, should, either on the road, or whilst sojourning at, or returning therefrom, perpetrate or commit any heinous act,

whereby the benefit of this public faith and assurance may be violated, or in any way set aside, the persons discovered in any such crime shall be forthwith punished by the Synod itself, and not by others, with a proportionate chastisement and a sufficient reparation, which the Germans of the Confession of Augsburg, who may be present here at the time, may on their part justly approve of and commend,—the present form, conditions, and terms of the safe-conduct remaining wholly untouched thereby. The said Synod also wills, that all and each of the ambassadors shall be allowed to go out of the city of Trent to take the air, as often as it shall be convenient or necessary, and to return thither; as also freely to send or despatch their messenger or messengers to any places whatsoever, according as their affairs may require, and to receive the said messengers or messenger, despatches or despatch, as often as they shall think fit; so as however one or more be associated therewith by the deputies of the Council, to provide for the safety of the said couriers: and this safe-conduct and these securities shall stand good and endure, both from and during the time that they shall have been received under the care of the said Synod, and the protection of its agents; and further, after they have had a sufficient audience, and twenty days having expired after they have themselves asked, or after the Council, upon that audience had, shall have given them notice, to return, It will, all deceit and fraud being entirely excluded, reconduct them, with God's help, from Trent to that place of safety which each may select for himself. All which things It promises, and in good faith pledges Itself, shall be inviolably observed towards all and each of the faithful of Christ, towards all ecclesiastical and secular princes, and towards all other ecclesiastical and secular persons, of whatsoever state and condition they may be, or by whatsoever name designated.

Furthermore, It promises in sincere and good faith, without fraud or deceit, that the said Synod will, neither openly nor covertly, seek for any opportunity, nor make use of, nor suffer any one else to make use of, any authority, power, right, or statute, privilege of laws or canons, or of any Councils whatsoever, especially those of Constance and Sienna, under

what form soever expressed ; to the prejudice in any way of this public faith, and most full security, and of the public and free hearing, by this said Synod granted to the above-named ;—derogating from the aforesaid in this regard and for this occasion.

And if the holy Synod, or any member thereof, or of their followers, of whatsoever condition, state, or pre-eminence, shall violate—which may the Almighty forefend—the form and terms of the security and safe-conduct as above set down, in any point or clause whatever, and a sufficient reparation shall not have forthwith followed, and one that may with reason be approved of and praised by the (interested) parties themselves ; they may and shall hold the said Synod to have incurred all those penalties, which, by law human and divine, or by custom, the violators of such safe-conducts can possibly incur,—without there being any excuse, or contrary allegation in this regard.

EXTENSION THEREOF TO OTHER NATIONS.

The same sacred and holy Synod, lawfully assembled in the Holy Ghost, the same Legates *a latere* of the Apostolic See presiding therein, grants the public faith, or a safe-conduct, under the same form, and in the same terms, wherein it is granted to the Germans, to all and each of those others, who hold not communion with us in matters of faith, of whatsoever kingdoms, nations, provinces, cities, and places they may be, wherein the contrary, to that which the holy Roman Church holds, is publicly and with impunity preached, taught, or believed.

SESSION THE NINETEENTH,

Being the third under the Sovereign Pontiff, Pius IV., celebrated on the fourteenth day of May, MDLXII.

DECREE FOR THE PROROGATION OF THE SESSION.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates

of the Apostolic See presiding therein,—has, for certain just and good reasons, thought fit to prorogue, and doth hereby prorogue, to the Thursday after the approaching solemnity of Corpus Christi, which will be the day before the nones of June,^(c) those decrees which were to have been on this day ordained and sanctioned in the present Session; and It notifies to all men, that, on the said day, a Session will be held and celebrated. Meanwhile, supplication is to be made to the God and Father of our Lord Jesus Christ, the author of peace, that He would sanctify the hearts of all; that, by His help, the holy Synod may be enabled, both now and ever, to study and to perform those things which shall be unto His praise and glory.

SESSION THE TWENTIETH,

Being the fourth under the Sovereign Pontiff, Pius IV., celebrated on the fourth day of June, MDLXII.

DECREE FOR THE PROROGATION OF THE SESSION.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein,—by reason of various difficulties arising from divers causes, and also to the end that all things may proceed in a more befitting manner, and with greater deliberation; to wit, that dogmas may be treated of and ratified conjointly with what relates to Reformation; has decreed that whatsoever it shall seem fit to ordain, as well concerning Reformation, as concerning dogmas, shall be defined in the next Session, which It notifies to all men for the sixteenth day of the month of July next; adding, however, that this holy Synod freely may and can, at Its will and pleasure, as it shall judge expedient for the business of the Council, shorten, or lengthen, the said term, even in a general congregation.

(c) 4th of June.

SESSION THE TWENTY-FIRST,

Being the fifth under the Sovereign Pontiff, Pius IV., celebrated on the sixteenth day of July, MDLXII.

The sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein,—whereas, touching the tremendous and most holy sacrament of the Eucharist, there are in divers places, by the most wicked artifices of the devil, spread abroad certain monstrous errors, by reason of which, in some provinces, many are seen to have departed from the faith and obedience of the Catholic Church, It has thought fit, that what relates to communion under both species, and the communion of infants, be in this place set forth. Wherefore It forbids all the faithful of Christ to presume henceforth to believe, teach, or preach otherwise on these matters, than is in these decrees explained and defined.

CHAPTER I.

That laymen and clerics, when not sacrificing, are not bound, of divine right, to communion under both species.

Wherefore, this holy Synod,—instructed by the Holy Spirit, who is *the spirit of wisdom and of understanding, the spirit of counsel and of godliness*,^(f) and following the judgment^(g) and usage of the Church itself,—declares and teaches, that laymen, and clerics when not consecrating,^(h) are not obliged, by any divine precept, to receive the sacrament of the Eucharist under both species; and that neither can it by any means be doubted, without injury to faith,⁽ⁱ⁾ that communion under either species

(f) Is. xi. 2.

(g) Concil. Constantiense.

(h) Non conficientes.

(i) Salva fide.

is sufficient for them unto salvation. For, although Christ, the Lord, in the last supper, instituted and delivered to the apostles, this venerable sacrament in the species of bread and wine ; not therefore do that institution and delivery tend thereunto, that all the faithful of Church be bound, by the institution^(k) of the Lord, to receive both species. But neither is it rightly gathered, from that discourse which is in the sixth of John,—however according to the various interpretations of holy Fathers and Doctors it be understood,—that the communion of both species was enjoined by the Lord : for He who said ; *Except you eat the flesh of the Son of man and drink his blood, you shall not have life in you* (v. 54), also said ; *He that eateth this bread shall live for ever* (v. 59) ; and He who said, *He that eateth my flesh and drinketh my blood hath everlasting life* (v. 55), also said ; *The bread that I will give is my flesh for the life of the world* (v. 52) ; and, in fine, He who said ; *He that eateth my flesh and drinketh my blood, abideth in me and I in him* (v. 57), said, nevertheless ; *He that eateth this bread shall live for ever* (v. 59).

CHAPTER II.

The power of the Church as regards the dispensation of the Sacrament of the Eucharist.

It furthermore declares, that this power has ever been in the Church, that, in the dispensation of the sacraments, their substance being untouched,^(l) it may ordain, or change, what things soever it may judge most expedient, for the profit of those who receive, or for the veneration of the said sacraments, according to the difference of circumstances, times, and places. And this the Apostle seems not obscurely to have intimated, when he says ; *Let a man so account of us, as of the ministers of Christ, and the dispensers of the mysteries of God.*^(m) And indeed it

(k) Statuto, appointment.

(l) *Salva illorum substantia.*

(m) 1 Cor. iv. 1.

is sufficiently manifest that he himself exercised this power, as in many other things, so in regard of this very sacrament; when, after having ordained certain things touching the use thereof, he says; *The rest I will set in order when I come.*⁽ⁿ⁾ Wherefore, holy Mother Church, knowing this her authority in the administration of the sacraments, although the use of both species has, from the beginning of the Christian religion, not been unfrequent, yet, in progress of time, that custom having been already very widely changed, she, induced by weighty and just reasons, has approved of this custom of communicating under one^(o) species,^(p) and decreed that it was to be held as a law; which it is not lawful to reprobate, or to change at pleasure, without the authority of the Church itself.

CHAPTER III.

That Christ whole and entire, and a true Sacrament are received under either species.

It moreover declares, that although, as hath been already said, our Redeemer, in that last supper, instituted, and delivered to the apostles, this sacrament in two species, yet is to be acknowledged, that Christ whole and entire and a true sacrament are received under either species alone; and that therefore, as regards the fruit thereof, they, who receive one species alone, are not defrauded of any grace necessary to salvation.

CHAPTER IV.

That little Children are not bound to sacramental Communion.

Finally, this same holy Synod teaches, that little children, who have not attained to the use of reason, are not by any necessity obliged to the sacramental communion of the Eucharist:

⁽ⁿ⁾ 1 Cor. xi. 34.

^(o) Altera.

^(p) Concil. Constantiense Sess. 13.

forasmuch as, having been regenerated by the laver of baptism, and being incorporated with Christ, they cannot, at that age, lose the grace which they have already acquired of being the sons of God. Not therefore, however, is antiquity to be condemned, if, in some places, it, at one time, observed that custom; for as those most holy Fathers had a probable⁽⁹⁾ cause for what they did in respect of their times, so, assuredly, is it to be believed without controversy, that they did this without any necessity thereof unto salvation.^(r)

ON COMMUNION UNDER BOTH SPECIES, AND ON THE COMMUNION OF INFANTS.

CANON I.—If any one saith, that, by the precept of God, or, by necessity of salvation,^(*) all and each of the faithful of Christ ought to receive both species of the most holy sacrament of the Eucharist; let him be anathema.

CANON II.—If any one saith, that the holy Catholic Church was not induced, by just causes and reasons, to communicate, under the species of bread only, laymen, and also clerics when not consecrating; let him be anathema.

CANON III.—If any one denieth, that Christ whole and entire—the fountain and author of all graces—is received under the one species of bread; because that—as some falsely assert—He is not received, according to the institution of Christ himself, under both species; let him be anathema.

CANON IV.—If any one saith, that the communion of the Eucharist is necessary for little children, before they have arrived at years of discretion; let him be anathema.

As regards, however, those two articles, proposed on another occasion, but which have not as yet been discussed; to wit, whether the reasons by which the holy Catholic Church was led to communicate, under the one species of bread only, laymen,

(9) Probabilem.

(r) Eos nulla salutis necessitate id fecisse.

(*) Necessitate salutis, as necessary for salvation.

and also priests when not celebrating, are in such wise to be adhered to, as that on no account is the use of the chalice to be allowed to any one soever; and, whether, in case that, for reasons beseeming^(t) and consonant with Christian charity, it appears that the use of the chalice is to be granted to any nation or kingdom, it is to be conceded under certain conditions; and what are those conditions: this same holy Synod reserves the same to another time,—for the earliest opportunity that shall present itself,—to be examined and defined.

DECREE ON REFORMATION.

Proëm.

The same sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein,—has thought fit that, to the praise of Almighty God, and the adornment of holy Church, the things which follow be ordained at present, touching the business of Reformation.

CHAPTER I.

Bishops shall both confer orders, and give dimissory letters and testimonials gratis: their servants shall receive nothing therefrom, and notaries that which is fixed in this decree.

Forasmuch as the ecclesiastical order ought to be free from every suspicion of covetousness, neither bishops, nor others, who confer orders, nor their ministers, shall, under any pretext, receive anything for the collation of any manner of orders, not even for the clerical tonsure, nor for letters dimissory, or testimonials, nor for the seal, nor for any other cause whatsoever,

(t) Honestis.

not even though it should be voluntarily offered. And notaries, —in those places only where the laudable custom of not receiving any thing does not prevail,—shall only be able to receive the tenth part of a golden crown (aureus) for each dimissory letter, or testimonial; provided still that there be no salary assigned them for the discharge of this office; and provided that no emolument, out of the payments to the notary, can accrue, either directly or indirectly, to the bishop from the collation of the said orders. For in this case the Synod ordains that they are bound to give their labour altogether gratuitously; utterly quashing and prohibiting all taxes to the contrary, and all statutes, and customs, even though immemorial, of all places whatsoever, which may rather be called abuses and corruptions tending to simoniacal pravity; and they who shall act otherwise, shall, as well the givers as the receivers, *ipso facto*, incur, besides the divine punishment, the penalties by law inflicted.

CHAPTER II.

Those who have not wherewith to live, are excluded from sacred Orders.

Whereas it beseems not those who are enrolled in the divine ministry, to beg, or to exercise any sordid trade, to the disgrace of their order; and whereas it is well known that very many, and that in very many places, are admitted to sacred orders almost without any selection whatever; who, by various artifices and deceits, pretend to have an ecclesiastical benefice, or even means sufficient; the holy Synod ordains, that henceforth no secular cleric, though otherwise fit as regards morals, knowledge, and age, shall be promoted to sacred orders, unless it be first legitimately certain, that he is in the peaceful possession of an ecclesiastical benefice sufficient for his honest livelihood: and he shall not be able to resign that benefice, without mentioning that he was promoted under the title thereof; nor shall that resignation be received, unless it be certain that he can live

conveniently from other sources ; and any resignation made otherwise shall be null. As to those who have a patrimony, or a pension, they shall not henceforth be ordained, except such as the bishop shall consider ought to be received, in consideration of the necessity or the convenience of his churches ; after having also first seen carefully to this, that they really enjoy that patrimony, or pension, and that they are such as to suffice for their sustenance : And the same may not in any case be alienated, extinguished, or remitted, without the permission of the bishop, until they shall have obtained a sufficient ecclesiastical benefice, or they shall have from some other source wherewith to live : renewing hereupon the penalties of the ancient canons.

CHAPTER III.

A method of increasing the daily distributions is prescribed ; the persons to whom they shall be due : the contumacy of those who do not serve is punished.

Whereas benefices were established in order to the performance of divine worship, and the offices of the Church ; to the end that the divine worship may not in any respect be diminished, but due attention be paid thereunto in all things ; the holy Synod ordains, that in churches, as well cathedral as collegiate, wherein there are no daily distributions, or so slight, that they are probably disregarded, a third part of the fruits and of all proceeds whatever, and revenues, as well of dignities, as of canonries, personates, portions, and offices, shall be set apart and converted to the purpose of daily distributions, to be divided amongst those who possess dignities and the others who are present at the divine service, according to that proportion which shall be settled by the bishop—even as the delegate of the Apostolic See—at the time of the very first deduction made from the fruits ; saving, however, the customs of those churches wherein those who do not reside, or who do not serve, receive nothing, or less than a third : all exemptions, and any

other customs, even though immemorial, and all appeals whatsoever notwithstanding. And upon the contumacy of those who do not serve increasing, they may be proceeded against according to the provision of the law, and of the sacred canons.

CHAPTER IV.

In what case Coadjutors are to be employed for the cure of souls.—The manner of erecting new parishes is set forth.

In all parish churches, or those wherein baptism is administered,^(v) in which (churches) the people is so numerous, that one rector is not enough for the administration of the sacraments of the Church, and for the performance of divine worship, the bishops, even as delegates of the Apostolic See, shall compel the rectors, or others whom it may concern, to associate to themselves for this office, as many priests as shall be sufficient to administer the sacraments, and to celebrate the divine worship. As regards those churches, to which, on account of the distance, or the difficulties of the locality, the parishioners cannot, without great inconvenience, repair to receive the sacraments, and to hear the divine offices; the bishops may, even against the will of the rectors, establish new parishes, pursuant to the form of the constitution of Alexander III., which begins, *Ad audientiam*. And to those priests who shall have to be appointed afresh over the churches newly erected, a competent portion shall be assigned, according to the bishop's judgment, out of the fruits in any wise belonging to the Mother Church: and, if it be necessary, he may compel the people to contribute what may be sufficient for the sustenance of the said priests; every general or special reservation, or assignment, that may lie upon the said churches, notwithstanding. Neither shall ordinances and erections of this kind be prevented, or hindered, by means of any provisions, or even by virtue of any resignation, or by any other derogations, or suspensions whatsoever.

(v) Ecclesiis baptismalibus.

CHAPTER V.

Bishops shall be able to form perpetual unions, in the cases by law permitted.

In order, also, that the state of those churches, wherein the sacred offices are administered unto God, may be maintained according to their dignity, the bishops, even as the delegates of the Apostolic See, may, according to form of law, make unions in perpetuity—without prejudice, however, to the incumbents—of any parochial churches whatsoever, and of those wherein baptism is administered, and of other benefices with or without cure, with (other) cures, on account of the poverty of those churches, and in the other cases by law permitted ; even though the said churches, or benefices, be generally or specially reserved, or in what way soever applied : the which unions shall not be capable of being revoked, by virtue of any provision whatever, not even on account of any resignation, or derogation, or suspension.

CHAPTER VI.

To ignorant Rectors, Vicars shall be, for the time being, deputed with a portion of the fruits ; those continuing to give scandal may be deprived of their benefices.

Forasmuch as illiterate and unskilful rectors of parish churches are but little fit for the sacred offices ; and others, by reason of the turpitude of their lives, rather destroy than edify ; the bishops, even as the delegates of the Apostolic See, may depute to the said illiterate and unskilful rectors, if they be otherwise of a blameless life, coadjutors, or vicars for the time being, and assign the same a part of the fruits for their sufficient maintenance, or provide for them in some other manner, setting aside any appeal or exemption whatsoever. But, those who live shamefully and scandalously, they shall, after having first admo-

nished them, restrain and punish ; and, if they shall still continue incorrigible in their wickedness, they shall have power to deprive them of their benefices, according to the constitutions of the sacred canons, setting aside every exemption or appeal whatsoever.

CHAPTER VII.

Bishops shall transfer, together with their obligations, churches which cannot be restored ; others they shall cause to be repaired.

Whereas, also, very great care ought to be taken, lest those things which have been dedicated to sacred services, may, through the injury of time, cease to be so employed, and pass from the memory of men ; the bishops, even as the delegates of the Apostolic See, may transfer simple benefices—even those that are under a right of patronage—from churches which have fallen into ruin by age, or otherwise, and which cannot, by reason of the poverty thereof, be restored, to the Mother Churches, or others of the same or neighbouring places, as they shall judge fit, after having summoned those who are interested therein ; and they shall raise, in the said churches, altars, or chapels, under the same invocations ; or transfer them, with all their emoluments and with all the obligations that were imposed on the former churches, to altars or chapels already erected. But, as regards parish churches which have thus fallen into decay, they shall, even though they be under a right of patronage, make it their care that they be repaired and restored, out of any fruits and proceeds whatever, in any way belonging to the said churches ; and if those resources should not be sufficient, they shall compel, by all suitable means, the patrons and others who receive any fruits derived from those churches, or, in their default, the parishioners, to provide for the aforesaid repairs ; setting aside every appeal, exemption, or reservation whatsoever. But if they should be all too poor, those churches shall

be transferred to the Mother Churches, or to the neighbouring churches, with power to convert both the said parish churches and others that are in ruins, to profane, though not to sordid uses ; a cross, however, being erected there.

CHAPTER VIII.

Commendatory monasteries, wherein regular observance is not in vigour, and all benefices soever, shall be by bishops annually visited.

It is right that whatsoever things in a diocese regard the worship of God, be diligently cared for by the Ordinary, and, where there is need, be by him set in order. Wherefore, monasteries held in *commendam*, even abbeys, priories, and those called provostries, wherein regular observance is not in vigour, as also benefices—with, or without the cure of souls, as well Regular as Secular—in whatever way held in *commendam*, even though exempt, shall be annually visited by the bishop, even as the delegates of the Apostolic See ; and the said bishops shall provide, by suitable measures, even by the sequestration of the fruits, that what requires renewing or repairing, be done accordingly ; and that the cure of souls, if those places, or those annexed to them, be charged therewith, as also that all other duties required of them, be rightly exercised ; notwithstanding any appeals whatsoever, privileges, customs, even with a prescription from time immemorial, letters conservatory, commissions of judges, and their inhibitions to the contrary. And, if Regular observance be therein maintained, the bishops shall make it their care, by fatherly admonitions, that the superiors of the said Regulars observe, and cause to be observed, the manner of life required by the institutes of their order, and that they keep, and govern those subject to them, in their duty. And if, after having been admonished, they shall not, within six months, have visited or corrected them, then may the said bishops, even as delegates of the Apostolic See, visit and correct

them, in the same way as the superiors themselves might do, in accordance with their institutes; notwithstanding, and completely setting aside, all appeals, privileges, and exemptions whatsoever.

CHAPTER IX.

The name and use of Questors of Alms is abolished.—The Ordinaries shall publish indulgences and spiritual graces.—Two of the Chapters shall, without fee, receive the Alms.

Whereas many remedies, heretofore applied by divers councils in their day, as well by that of Lateran, (*) and of Lyons, as by that of Vienne, against the wicked abuses of questors of alms, have become in later times useless; yea, rather the depravity of such is, to the great scandal and complaint of all the faithful, found daily so to increase the more, as that there seems to be no longer any hope left of their amendment; (the Synod) ordains that, in all parts of Christendom soever, their name and use be henceforth utterly abolished; nor shall they be allowed in any wise to exercise any such office; notwithstanding any privileges granted to any churches, monasteries, hospitals, pious places, or to any persons of whatsoever degree, estate, and dignity, or any customs, even though immemorial. As regards the indulgences, or other spiritual graces, of which the faithful of Christ ought not on this account to be deprived, It decrees, that they are henceforth to be published to the people at the due times, by the Ordinaries of the places, aided by two members of the Chapter; to whom also power is given to gather faithfully the alms, and the succours of charity which are offered them, without their receiving any remuneration whatsoever; that so all men may at length truly understand, that these heavenly treasures of the Church are administered, not for gain, but for godliness.

(*) Sub. Innoc. III., cap. 62.

INDICTION OF THE NEXT SESSION.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein, hath ordained and decreed, that the next ensuing Session be held and celebrated on the Thursday after the octave of the feast of the Nativity of the Blessed Virgin Mary, which will be on the seventeenth of the month of September next; with the addition, however, that the said holy Synod freely may and can, according to Its will and pleasure, as It shall judge expedient for the affairs of the Council, limit or extend, even in a general congregation, the said term, as also that which may be assigned hereafter for each Session.

SESSION THE TWENTY-SECOND,

Being the sixth under the Sovereign Pontiff, Pius IV., celebrated on the seventeenth day of September, MDLXII.

DOCTRINE ON THE SACRIFICE OF THE MASS.

The sacred and holy, œcumenical and general Synod of Trent—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein—to the end that the ancient, complete, and in every part perfect faith and doctrine touching the great mystery of the Eucharist may be retained in the holy Catholic Church; and may, all errors and heresies being repelled, be preserved in its own purity; (the Synod) instructed by the illumination of the Holy Ghost, teaches, declares, and decrees what follows, to be preached to the faithful, on the subject of the Eucharist, considered as being a true and singular^(*) sacrifice.

(*) Singularis.

CHAPTER I.

On the institution of the most holy Sacrifice of the Mass.

Forasmuch as, under the former Testament, according to the testimony of the Apostle Paul, there was no *perfection, because of the weakness of the Levitical priesthood*; ^(r) there was need, God, the Father of mercies, so ordaining, that *another priest should rise, according to the order of Melchisedech*, ^(s) our Lord Jesus Christ, who might consummate, and lead to what is perfect, as many as were to be sanctified. He, therefore, our God and Lord, though He was about to offer Himself once on the altar of the cross unto God the Father, *by means of his death*, ^(t) there to operate *an eternal redemption*; ^(u) nevertheless, because that His priesthood was not to be extinguished by His death, in the last supper, on the night in which He was betrayed, —that He might leave, to His own beloved Spouse the Church, a visible sacrifice, such as the nature of man requires, whereby that bloody sacrifice, once to be accomplished on the cross, might be represented, and the memory thereof remain even unto the end of the world, and its salutary virtue be applied to the remission of those sins which we daily commit,—declaring Himself constituted *a priest for ever, according to the order of Melchisedech*, ^(v) He offered up to God the Father His own body and blood under the species of bread and wine; and, under the symbols of those same things, He delivered (His own body and blood) to be received by His apostles, whom He then constituted priests of the New Testament; and by those words, *Do this in commemoration of me*, ^(d) He commanded them and their successors in the priesthood, to offer (them); even as the Catholic Church has always understood and taught. For, having celebrated the ancient Passover, which the multitude of the children of Israel immoated in memory of their going out of

^(r) Heb. vii. 11, 18.^(b) v. 12.^(s) v. 11.^(v) Ps. cix. 4.^(t) Heb. ix. 5.^(d) Luke xxii. 19.

Egypt, He instituted the new Passover, (to wit) Himself to be immolated, under visible signs, by the Church through (the ministry of) priests, in memory of His own passage from this world unto the Father, when by the effusion of His own blood He redeemed us, and *delivered us from the power of darkness, and translated us into his kingdom.*^(e) And this is indeed that clean oblation, which cannot be defiled by any unworthiness, or malice of those that offer (it); which the Lord foretold by Malachias was to be *offered in every place, clean to his name, which was to be great amongst the Gentiles*; ^(f) and which the apostle Paul, writing to the Corinthians, has not obscurely indicated, when he says, that they who are defiled by *the participation of the table of devils, cannot be partakers of the table of the Lord*; ^(g) by *the table*, meaning in both places the altar. This, in fine, is that oblation which was prefigured by various types of sacrifices, during the period of nature, and of the law; in as much as it comprises all the good things signified by those sacrifices, as being the consummation and perfection of them all.

CHAPTER II.

That the Sacrifice of the Mass is propitiatory both for the living and the dead.

And forasmuch as, in this divine sacrifice which is celebrated in the mass, that same Christ is contained and immolated in an unbloody manner, who once offered Himself in a bloody manner on the altar of the cross; the holy Synod teaches, that this sacrifice is truly propitiatory and that by means thereof this is effected, that we obtain mercy, and find grace *in seasonable aid*,^(h) if we draw nigh unto God, contrite and penitent, with a sincere heart and upright faith, with fear and reverence. For the Lord, appeased by the oblation thereof, and granting the

(e) Coloss. i. 13. (f) Malach. i. 11. (g) 1 Cor. x. 21. (h) Heb. iv. 6.

grace and gift of penitence, forgives even heinous crimes and sins. For the victim is one and the same, the same now offering by the ministry of priests, who then offered Himself on the cross, the manner alone of offering being different. The fruits indeed of which oblation, of that bloody one to wit, are received most plentifully through this unbloody one; so far is this (latter) from derogating in any way from that (former oblation). Wherefore, not only for the sins, punishments,⁽ⁱ⁾ satisfactions, and other necessities of the faithful who are living, but also for those who are departed in Christ, and who are not as yet fully purified,^(k) is it rightly offered, agreeably to a tradition of the apostles.

CHAPTER III.

On Masses in honour of the Saints.

And although the Church has been accustomed at times to celebrate certain masses in honour and memory of the saints; not therefore, however, doth she teach that sacrifice is offered unto them, but unto God alone, who crowned them; whence neither is the priest wont to say, "I offer sacrifice to thee, Peter, or Paul;"^(l) but, giving thanks to God for their victories, he implores their patronage, that they may vouchsafe to intercede for us in heaven, whose memory we celebrate upon earth.

CHAPTER IV.

On the Canon of the Mass.

And whereas it beseemeth, that holy things be administered in a holy manner, and of all holy things this sacrifice is the most holy; to the end that it might be worthily and reverently

(i) Pœnis, pains. (k) Purgatis, purged. (l) S. Augus. De Civ. Dei, L. viii. c. 27.

offered and received, the Catholic Church instituted, many years ago, the sacred Canon, so pure from every error, that nothing is contained therein which does not in the highest degree savour of a certain holiness and piety, and raise up unto God the minds of those that offer. For it is composed, out of the very words of the Lord, the traditions of the apostles, and the pious institutions also of holy pontiffs.

CHAPTER V.

On the solemn ceremonies of the Sacrifice of the Mass.

And whereas such is the nature of man, that, without external helps, he cannot easily be raised to the meditation of divine things; therefore has holy Mother Church instituted certain rites, to wit that certain things be pronounced in the mass in a low, and others in a louder, tone. She has likewise employed ceremonies, such as mystic benedictions, lights, incense, vestments, and many other things of this kind, derived from an apostolical discipline and tradition, whereby both the majesty of so great a sacrifice might be recommended, and the minds of the faithful be excited, by those visible signs of religion and piety, to the contemplation of those most sublime things which are hidden in this sacrifice.

CHAPTER VI.

On Mass wherein the priest alone communicates.

The sacred and holy Synod would fain indeed that, at each mass, the faithful who are present should communicate, not only in spiritual desire, but also by the sacramental participation of the Eucharist, that thereby a more abundant fruit might be derived to them from this most holy sacrifice: but not therefore, if this be not always done, does It condemn, as private and unlawful, but approves of and therefore commends,

those masses in which the priest alone communicates sacramentally; since those masses also ought to be considered as truly common; partly because the people communicate spiritually thereat; partly also because they are celebrated by a public minister of the Church, not for himself only, but for all the faithful, who belong to the body of Christ.

CHAPTER VII.

On the water that is to be mixed with the wine to be offered in the chalice.

The holy Synod notices, in the next place, that it has been enjoined by the Church on priests, to mix water with the wine that is to be offered in the chalice; ^(m) as well because it is believed that Christ the Lord did this, as also because from *His side there came out blood and water*; ⁽ⁿ⁾ the memory of which mystery is renewed by this commixture; and, whereas in the apocalypse of blessed John, *the peoples* are called *waters*, ^(o) the union of that faithful people with Christ their head is hereby represented.

CHAPTER VIII.

On not celebrating the Mass every where in the vulgar tongue; the mysteries of the Mass to be explained to the people.

Although the mass contains great instruction for the faithful people, nevertheless, it has not seemed expedient to the Fathers, that it should be every where ^(p) celebrated in the vulgar tongue. Wherefore, the ancient usage of each church, and the rite approved of by the holy Roman Church, the mother and mistress of all churches, being in each place retained;

^(m) Synod. Quini—Sext. cap. 32; Conc. Carthag. iii. c. 24; Concil. Flor.

⁽ⁿ⁾ John xix. 34.

^(o) Apoc. xvii. 15.

^(p) Passim, indiscriminately.

and, that the sheep of Christ may not suffer hunger, *nor the little ones ask for bread, and there be none to break it unto them,*⁽⁹⁾ the holy Synod charges pastors, and all who have the cure of souls, that they frequently, during the celebration of mass, expound either by themselves, or others, some portion of those things which are read at mass, and that, amongst the rest, they explain some mystery of this most holy sacrifice, especially on the Lord's days and festivals.

CHAPTER IX.

Preliminary Remark on the following Canons.

And because that many errors are at this time disseminated and many things are taught and maintained by divers persons, in opposition to this ancient faith, which is based on the sacred Gospel, the traditions of the Apostles, and the doctrine of the holy Fathers; the sacred and holy Synod, after many and grave deliberations maturely had touching these matters, has resolved, with the unanimous consent of all the Fathers, to condemn, and to eliminate from holy Church, by means of the canons subjoined, whatsoever is opposed to this most pure faith and sacred doctrine.

ON THE SACRIFICE OF THE MASS.

CANON I.—If any one saith, that in the mass a true and proper sacrifice is not offered to God; or, that to be offered is nothing else but that Christ is given us to eat; let him be anathema.

CANON II.—If any one saith, that by those words, *Do this for the commemoration of me* (Luke xxii. 19), Christ did not institute the apostles priests; or, did not ordain that they, and other priests should offer His own body and blood; let him be anathema.

CANON III.—If any one saith, that the sacrifice of the mass is only a sacrifice of praise and of thanksgiving; or, that it is a

(9) Lam. iv. 4.

bare commemoration of the sacrifice consummated on the cross, but not a propitiatory sacrifice ; or, that it profits him only who receives ; and that it ought not to be offered for the living and the dead for sins, pains, satisfactions, and other necessities ; let him be anathema.

CANON IV.—If any one saith, that, by the sacrifice of the mass, a blasphemy is cast upon the most holy sacrifice of Christ consummated on the cross ; or, that it is thereby derogated from ; let him be anathema.

CANON V.—If any one saith, that it is an imposture to celebrate masses in honour of the saints, and for obtaining their intercession with God, as the Church intends ; let him be anathema.

CANON VI.—If any one saith, that the canon of the mass contains errors, and is therefore to be abrogated ; let him be anathema.

CANON VII.—If any one saith, that the ceremonies, vestments, and outward signs, which the Catholic Church makes use of in the celebration of masses, are incentives to impiety, rather than offices of piety ; let him be anathema.

CANON VIII.—If any one saith, that masses, wherein the priest alone communicates sacramentally, are unlawful, and are, therefore, to be abrogated ; let him be anathema.

CANON IX.—If any one saith, that the rite of the Roman Church, according to which a part of the canon and the words of consecration are pronounced in a low tone, is to be condemned ; or, that the mass ought to be celebrated in the vulgar tongue only ; or, that water ought not to be mixed with the wine that is to be offered in the chalice, for that it is contrary to the institution of Christ ; let him be anathema.

DECREE CONCERNING THE THINGS TO BE OBSERVED, AND TO BE AVOIDED,
IN THE CELEBRATION OF MASS.

What great care is to be taken, that the sacred and holy sacrifice of the mass be celebrated with all religious service^(*) and

(*) Religionis cultu.

veneration, each one may easily imagine, who considers, that, in holy writ, he is called *accursed, who doth the work of God negligently*;^(*) and if we must needs confess, that no other work can be performed by the faithful so holy and divine as this tremendous mystery itself, wherein that life-giving victim, by which we were reconciled to the Father, is daily immolated on the altar by^(†) priests, it is also sufficiently clear, that all industry and diligence is to be applied to this end, that it be performed with the greatest possible inward cleanness and purity of heart, and outward show of devotion and piety. Whereas, therefore, either through the wickedness of the times, or through the carelessness and corruption of men, many things seem already to have crept in, which are alien from the dignity of so great a sacrifice; to the end that the honour and cult due thereunto may, for the glory of God and the edification of the faithful people, be restored; the holy Synod decrees, that the ordinary bishops of places shall take diligent care, and be bound to prohibit and abolish all those things which either *covetousness, which is a serving of idols*,^(‡) or irreverence, which can hardly be separated from impiety; or superstition, which is a false imitation of true piety, may have introduced. And that many things may be comprised in a few words: first, as relates to covetousness:—they shall wholly prohibit all manner of conditions and bargains for recompenses, and whatsoever is given for the celebration of new masses;^(§) as also those importunate and illiberal demands, rather than requests, for alms, and other things of the like sort, which are but little removed from a simoniacal taint, or at all events, from *filthy lucre*.

In the next place, that irreverence may be avoided, each, in his own diocese, shall forbid that any wandering or unknown priest be allowed to celebrate mass. Furthermore, they shall not allow any one who is publicly and notoriously stained with crime, either to minister at the holy altar, or to assist at the sacred services; nor shall they suffer the holy sacrifice to be celebrated, either by any Seculars or Regulars whatsoever, in

(*) Jerem. xlviii. 10.

(†) Per.

(‡) Ephes. i. 5.

(§) Pro missis novis, probably *first masses*; or, may be, masses newly appointed.

private houses ; or, at all, out of the church, and those oratories which are dedicated solely to divine worship, and which are to be designated and visited by the said Ordinaries ; and not then, unless those who are present shall have first shown, by their decently composed outward appearance, that they are there not in body only, but also in mind and devout affection of heart. They shall also banish from churches all those kinds of music, in which, whether by the organ, or in the singing, there is mixed up any thing lascivious or impure ; as also all secular actions ; vain and therefore profane conversations, all walking about, noise, and clamour, that so the house of God may be seen to be, and may be called, truly *a house of prayer*.

Lastly, that no room may be left for superstition ; they shall by ordinance, and under given penalties, provide, that priests do not celebrate at other than due hours ; nor employ other rites, or other ceremonies and prayers, in the celebration of masses, besides those which have been approved of by the Church, and have been received by a frequent and praiseworthy usage. They shall wholly banish from the Church the observance of a fixed number of certain masses^(*) and of candles, as being the invention of superstitious worship, rather than of true religion ; and they shall instruct the people, what is, and whence especially is derived, the fruit so precious and heavenly of this most holy sacrifice. They shall also admonish their people to repair frequently to their own parish churches, at least on the Lord's days and the greater festivals. All, therefore, that has been briefly enumerated, is in such wise propounded to all Ordinaries of places, as that, by the power given them by this sacred and holy Synod, and even as delegates of the Apostolic See, they may prohibit, ordain, reform, and establish, not only the things aforesaid, but also whatsoever else shall seem to them to have relation hereunto ; and may compel the faithful people inviolably to observe them, by ecclesiastical censures and other penalties, which at their pleasure they may appoint ; any privileges, exemptions, appeals, and customs whatsoever, to the contrary notwithstanding.

(*) Quarumdam missarum.

DECREE ON REFORMATION.

The same sacred and holy, œcumenical and general Synod of Trent,—lawfully assembled in the Holy Ghost, the same Legates of the Apostolic See presiding therein,—to the end that the business of reformation may be proceeded with, has thought good that the following things be ordained in the present Session.

CHAPTER I.

The Canons relative to the life, and propriety of conduct of Clerics are renewed.

There is nothing that continually *instructs others unto piety*, and the service of God, more than the life and example of those who have dedicated themselves to the divine ministry. For as they are seen to be raised to a higher position, above the things of this world, others fix their eyes upon them as upon a mirror, and derive from them what they are to imitate. Wherefore clerics called to have the Lord for their portion, ought by all means so to regulate their whole life and conversation, as that in their dress, comportment, gait, discourse, and all things else, nothing appear but what is grave, regulated, and replete with religiousness; avoiding even slight faults, which in them would be most grievous; that so their actions may impress all with veneration. Whereas, therefore, the more useful and decorous these things are for the Church of God, the more carefully also are they to be attended to; the holy Synod ordains, that those things which have been heretofore copiously and wholesomely enacted by sovereign pontiffs and sacred councils,—relative to the life, propriety of conduct, dress, and learning of clerics, and also touching the luxuriousness, feastings, dances, gambling, sports, and all sorts of crime whatever, as also the secular employments, to be by them shunned,—the same shall be henceforth observed, under the same penalties, or greater, to be imposed at the discretion of the Ordinary; nor shall any appeal

suspend the execution hereof, as relating to the correction of manners. But if anything of the above shall be found to have fallen into desuetude, they shall make it their care that it be brought again into use as soon as possible, and be accurately observed by all ; any customs to the contrary notwithstanding ; lest they themselves may have, God being the avenger, to pay the penalty deserved by their neglect of the correction of those subject to them.

CHAPTER II.

Who are to be promoted to Cathedral Churches.

Whosoever is, hereafter, to be promoted to a cathedral church shall not only be fully qualified by birth, age, morals, and life, and, in other respects, as required by the sacred canons, but shall also have been previously constituted in sacred Order, for the space of at least six months. And information on these points, if the individual be only recently, or not at all, known at the court (of Rome), shall be derived from the Legates of the Apostolic See, or from the Nuncios of the provinces, or from his Ordinary, and in his default, from the nearest Ordinaries. And, besides the things above-named, he shall possess such learning as to be able to discharge the obligations of the office that is about to be conferred upon him ; and he shall, therefore, have been previously promoted by merit, in some university for studies, to be a master, or doctor, or licentiate, in sacred theology, or in canon law ; or shall be declared, by the public testimony of some academy, fit to teach others. And, if he be a Regular, he shall have a similar attestation from the superiors of his own order. And all the above-named persons, from whom the information, or testimony, aforesaid is to be derived, shall be bound to report on these matters faithfully and gratuitously ; otherwise let them know, that their consciences will be grievously burthened, and that God, and their own superiors, will punish them.

CHAPTER III.

Daily distributions, out of the third part of all fruits soever, are to be established; on whom the portion of absentees devolves; certain cases excepted.

Bishops, even as the delegates of the Apostolic See, shall have power to divide the third part of any manner of fruits and proceeds of all dignities, personates, and offices existing in cathedral or collegiate churches, into distributions, to be assigned as they shall judge fit; in such wise to wit, that, if those who ought to receive them should fail, on any appointed day, personally to discharge the duty that devolves upon them, according to the form that shall be prescribed by the said bishops, they shall forfeit that day's distribution, and shall acquire no manner of property therein, but it shall be applied to the fabric of the church, as far as it may need it, or to some other pious place, at the discretion of the Ordinary. But if their contumacy increase, they shall proceed against them according to the constitutions of the sacred canons. But if any of the aforesaid dignitaries has, neither by right, nor custom, any jurisdiction, administration, or office, devolving upon him in the cathedral or collegiate churches; but, out of the city, in the same diocese, there is a cure of souls to be attended to, which he who holds that dignity is willing to take upon himself; in this case, during the time that he shall reside and minister in the church with that cure, he shall be considered as though he were present and assisted at the divine offices in those cathedral or collegiate churches. These things are to be understood as appointed for those churches only, wherein there is no custom, or statute, whereby the said dignitaries, who do not serve, lose something, which amounts to the third part of the said fruits and proceeds: any customs, even though immemorial, exemptions, and constitutions, even though confirmed by oath or by any authority whatsoever, to the contrary notwithstanding.

CHAPTER IV.

Those not initiated into a sacred Order, shall not have a voice in the chapter of any Cathedral or Collegiate Church. The qualifications and duties of those who hold Benefices therein.

Whosoever being employed in the divine offices in a cathedral, or collegiate, Secular or Regular, church, is not constituted in the order of subdeaconship at least, shall not have a voice in the chapter of those churches, even though this may have been voluntarily conceded to him by the others. As to those who possess, or shall hereafter possess, in the said churches, any dignities, personates, offices, prebends, portions, and any other manner of benefices whatever, to which various obligations are annexed, such as, that some shall say, or sing, mass, others the Gospel, others the Epistle, they shall be bound, all just impediment ceasing, to receive the requisite orders within a year, whatsoever may be their privilege, exemption, prerogative, or nobility of birth; otherwise they shall incur the penalties enacted by the constitution of the Council of Vienne, which begins, *Ut ii qui*, which by this present decree is renewed: and the bishops shall compel them to exercise in person the aforesaid orders on the appointed days, and to discharge all the other duties required of them in the divine service, under the said penalties, and others even more grievous, which may be imposed at their discretion. Nor, for the future, shall any such office be assigned to any but those who shall be well known fully to have already the age and the other qualifications; otherwise such provision shall be null.

CHAPTER V.

Dispensations expedited out of the (Roman) court shall be committed to the Bishop, and be by him examined.

Dispensations, by whatsoever authority they are to be granted, if they are to be consigned out of the Roman court, shall be

consigned to the Ordinaries of those who shall have obtained them. And as to those dispensations which shall be granted as graces, they shall not have effect, until the said Ordinaries, as delegates of the Apostolic See, shall have first ascertained summarily only and extra-judically, that the terms of the petition do not labour under the vice of surreption or obreption.

CHAPTER VI.

Last intentions to be altered with caution.

In alterations of last wills,—which alterations ought not to be made except for a just and necessary cause,—the bishops, as delegates of the Apostolic See, shall, before the alterations aforesaid are carried into execution, ascertain, that nothing has been stated in the prayer of the petition, which suppresses what is true, or suggests what is false.

CHAPTER VII.

The chapter “Romana,” in the sixth (of the Decretals), is renewed.

Apostolic legates and nuncios, patriarchs, primates, and metropolitans, in appeals interposed before them, shall, in all causes whatsoever, as well in admitting the appeals, as in granting inhibitions after an appeal, be bound to observe the form and tenour of the sacred constitutions, and especially of the constitution of Innocent IV., beginning *Romana*; any custom, even though immemorial, or usage, or privilege, to the contrary notwithstanding; otherwise the inhibitions and proceedings, and all the consequences thereof, shall be *ipso jure* null.

CHAPTER VIII.

Bishops shall execute the pious dispositions of all persons ; shall visit all manner of pious places, if not under the immediate protection of Kings.

The bishops, even as the delegates of the Apostolic See, shall, in the cases by law permitted, be the executors of all pious dispositions, whether made by last will, or between the living :^(y) they shall have a right to visit all manner of hospitals, colleges, and confraternities of laymen, even those which are called schools, or which go by any other name ; but not, however, those places which are under the immediate protection of kings, except with their permission ; also the eleemosynary institutions, called *monts-de-piété*, or of charity, and all pious places by whatsoever name designated, even though the afore-said institutions be under the care of laymen, and though the said pious places be protected by a privilege of exemption ; and, by virtue of their office, they shall take cognizance of, and see to the performance,—in accordance with the ordinances of the sacred canons,—of all things that have been instituted for God's worship, for the salvation of souls, or for the support of the poor ; any custom, even though immemorial, or privilege, or statute whatsoever, to the contrary, notwithstanding.

CHAPTER IX.

Administrators of any pious places whatsoever shall give in their accounts to the Ordinary, unless it be otherwise provided by the foundation.

The administrators, whether ecclesiastical, or lay, of the fabric of any church whatsoever, even though it be a cathedral, as also of any hospital, confraternity, charitable institution called

(y) Dispositionum, tam in ultima voluntate, quam inter vivos.

mont-de-piété, and of any pious places whatsoever, shall be bound to give in, once a year, an account of their administration to the Ordinary : all customs and privileges to the contrary being set aside ; unless it should happen that, in the institution and regulations of any church or fabric, it has been otherwise expressly provided. But if from custom, or privilege, or some regulation of the place, their account has to be rendered to others deputed thereunto, in that case the Ordinary shall also be employed jointly with them ; and all acquittances given otherwise shall be of no avail to the said administrators.

CHAPTER X.

Notaries shall be subject to the examination and judgment of the Bishops.

Whereas the unskilfulness of notaries causes very many injuries, and gives occasion to many lawsuits; the bishop, even as the delegate of the Apostolic See, may, by actual examination, search into the competency of all notaries, even though created by apostolic, imperial, or royal authority ; and, if such notaries be found incompetent, or on any occasion guilty of a delinquency in the discharge of their office, he may forbid them, altogether or for a time, to exercise that office, in ecclesiastical and spiritual affairs, lawsuits, and causes ; nor shall any appeal on their parts suspend the prohibition of the Ordinary.

CHAPTER XI.

Usurpers of the property of any Church, or pious places, are punished.

If any cleric, or layman, by whatsoever dignity pre-eminent, be he even emperor or king, should be so possessed by covetousness, that root of all evils, as to presume to convert to his own use, and to usurp,—by himself or by others, by force, or

fear, or even by means of any supposititious persons,^(*) whether lay, or clerical, or by any artifice, or under any colourable pretext whatsoever,—the jurisdictions, property, rents, and rights, even those held in fee or under lease, the fruits, emoluments, or any sources of revenue whatsoever, belonging to any church, or to any benefice, whether Secular or Regular, *monts-de-piété*, or to any other pious places, which ought to be employed for the necessities of the ministers (thereof), and of the poor; or (shall presume) to hinder them (in any of the ways aforesaid) from being received by those unto whom they of right belong; he shall lie under an anathema until he shall have wholly restored to the Church, and to the administrator or beneficiary thereof, the jurisdictions, property, effects, rights, fruits, and revenues which he has seized upon, or in whatsoever way they have come to him, even by way of gift from a supposititious person; and until he shall, furthermore, have obtained absolution from the Roman Pontiff. And if he be the patron of the said church, he shall, besides the penalties aforesaid, be thereupon deprived of the right of patronage. And the cleric who shall be the author of, or consenting to, any execrable fraud and usurpation of this kind, shall be subjected to the same penalties; as also he shall be deprived of all benefices whatsoever, and be rendered incapable of any others whatsoever; and ever after entire satisfaction and absolution, he shall be suspended from the exercise of his orders, at the discretion of his Ordinary.

DECREE TOUCHING THE PETITION FOR THE CONCESSION OF THE CHALICE.

Moreover, whereas the same sacred and holy Synod, in the preceding Session, reserved unto another time, for an opportunity that might present itself, two articles to be examined and defined, which (articles) had been proposed on another occasion, but had not then been as yet discussed, to wit, whether the reasons by which the holy Catholic Church was led to communicate, under the one species of bread, laymen and also priests

(*) Per suppositas personas.

when not celebrating, are in such wise to be adhered to, as that on no account is the use of the chalice to be allowed to any one soever; and, whether, in case that, for reasons beseeing and consonant with Christian charity, it appears that the use of the chalice is to be granted to any nation, or kingdom, it is to be conceded under certain conditions; and what are those conditions; It has now,—in Its desire that the salvation of those, on whose behalf the request is made, may be provided for in the best manner,—decreed, that the whole business be referred to our most holy lord, as by this present decree It doth refer it; who, of his singular prudence, will do that which he shall judge, useful for the Christian commonweal, and salutary for those who ask for the use of the chalice.

INDICTION OF THE NEXT SESSION.

Moreover, this sacred and holy Synod of Trent appoints, for the day of the next Session, the Thursday after the octave of All Saints, which will be the twelfth day of the month of November; and thereon It will decree concerning the sacrament of Order, and the sacrament of Matrimony, &c.

The Session was prorogued until the fifteenth day of July,
MDLXIII.

SESSION THE TWENTY-THIRD,

Being the seventh under the Sovereign Pontiff, Pius IV., celebrated on the fifteenth day of July, MDLXIII.

THE TRUE AND CATHOLIC DOCTRINE, TOUCHING THE SACRAMENT OF ORDER, DECREED AND PUBLISHED BY THE HOLY SYNOD OF TRENT, IN THE SEVENTH SESSION, IN CONDEMNATION OF THE ERRORS OF OUR TIME.

CHAPTER I.

On the institution of the Priesthood of the New Law.

Sacrifice and priesthood are, by the ordinance of God, in such wise conjoined, as that both have existed in every law.

Whereas, therefore, in the New Testament, the Catholic Church has received, from the institution of Christ, the holy visible sacrifice of the Eucharist ; it must needs also be confessed, that there is, in that Church, a new, visible, and external priesthood, into which the old has been *translated*.^(*) And the sacred Scriptures show, and the tradition of the Catholic Church has always taught, that this priesthood was instituted by the same Lord our Saviour, and that to the apostles, and their successors in the priesthood, was the power delivered of consecrating, offering, and administering His Body and Blood, as also of forgiving and of retaining sins.

CHAPTER II.

On the Seven Orders.

And whereas the ministry of so holy a priesthood is a divine thing ; to the end that it might be exercised in a more worthy manner, and with greater veneration, it was suitable that, in the most well-ordered settlement of the church, there should be several and diverse orders of ministers, to minister to the priesthood, by virtue of their office ; orders so distributed as that those already marked with the clerical tonsure should ascend through the lesser to the greater orders. For the sacred Scriptures make open mention not only of priests, but also of deacons ; and teach, in words the most weighty, what things are especially to be attended to in the Ordination thereof ; and, from the very beginning of the church, the names of the following orders, and the ministrations proper to each one of them, are known to have been in use ; to wit those of subdeacon, acolyth, exorcist, lector, and door-keeper ; though these were not of equal rank : for the subdeaconship is classed amongst the greater orders by the Fathers and sacred Councils, wherein also we very often read of the other inferior orders.

(*) Hebr. vii. 12.

CHAPTER III.

That Order is truly and properly a Sacrament.

Whereas, by the testimony of Scripture, by Apostolic tradition, and the unanimous consent of the Fathers, it is clear that grace is conferred by sacred ordination, which is performed^(b) by words and outward signs, no one ought to doubt that Order is truly and properly one of the seven sacraments of holy Church. For the apostle says; *I admonish thee that thou stir up the grace of God, which is in thee by the imposition of my hands. For God has not given us the spirit of fear, but of power and of love and of sobriety.*^(c)

CHAPTER IV.

On the Ecclesiastical hierarchy, and on Ordination.

But, forasmuch as in the sacrament of Order, as also in Baptism and Confirmation, a character is imprinted, which can neither be effaced nor taken away; the holy Synod with reason condemns the opinion of those, who assert that the priests of the New Testament have only a temporary power; and that those who have once been rightly ordained, can again become laymen, if they do not exercise the ministry of the word of God. And if any one affirm, that all Christians indiscriminately are priests of the New Testament, or that they are all mutually endowed with an equal spiritual power, he clearly does nothing but confound the ecclesiastical hierarchy, which is *as an army set in array*; ^(d) as if, contrary to the doctrine of blessed Paul, *all were apostles, all prophets, all evangelists, all pastors, all doctors.*^(e) Wherefore, the holy Synod declares that, besides

(b) Perficitur.

(c) 2 Tim. i. 6, 7.

(d) Cant. vi. 3.

(e) Ephes. vi. 11, 12.

the other ecclesiastical degrees, bishops, who have succeeded to the place of the apostles, principally belong to this hierarchical order; that they are *placed*, as the same apostle says, *by the Holy Ghost, to rule the Church of God*; ^(f) that they are superior to priests; administer the sacrament of Confirmation; ordain the ministers of the Church; and that they can perform very many other things; over which functions others of an inferior order have no power. Furthermore, the sacred and holy Synod teaches, that, in the ordination of bishops, priests, and of the other orders, neither the consent, nor vocation, nor authority, whether of the people, or of any civil power or magistrate whatsoever, is required in such wise as that, without this, the ordination is invalid: yea rather doth It decree, that all those who, being only called and instituted by the people, or by the civil power and magistrate, ascend to the exercise of these ministrations, and those who of their own rashness assume them to themselves, are not ministers of the church, but are to be looked upon as *thieves and robbers, who have not entered by the door*. ^(g) These are the things which it hath seemed good to the sacred Synod to teach the faithful of Christ, in general terms, touching the sacrament of Order. But It hath resolved to condemn whatsoever things are contrary thereunto, in express and specific canons, in the manner following; in order that all men, with the help of Christ, using the rule of faith, may, in the midst of the darkness of so many errors, more easily be able to recognise and to hold Catholic truth.

ON THE SACRAMENT OF ORDER.

CANON I.—If any one saith, that there is not in the New Testament a visible and external priesthood; or that there is not any power of consecrating and offering the true body and blood of the Lord, and of forgiving and retaining sins; but only an office and bare ministry of preaching the Gospel; or, that those who do not preach are not priests at all; let him be anathema.

(f) Acts xx. 28.

(g) John x. 1.

CANON II.—If any one saith, that, besides the priesthood, there are not in the Catholic Church other orders, both greater and minor, by which, as by certain steps, advance is made unto the priesthood ;^(h) let him be anathema.

CANON III.—If any one saith, that order, or sacred ordination, is not truly and properly a sacrament instituted by Christ the Lord ; or, that it is a kind of human figment devised by men unskilled in ecclesiastical matters ; or, that it is only a kind of rite for choosing ministers of the word of God and of the sacraments ; let him be anathema.

CANON IV.—If any one saith, that, by sacred ordination, the Holy Ghost is not given ; and that vainly therefore do the bishops say, *Receive ye the Holy Ghost* ; or, that a character is not imprinted⁽ⁱ⁾ by that ordination ; or, that he who has once been a priest, can again become a layman ; let him be anathema.

CANON V.—If any one saith, that the sacred unction which the Church uses in holy ordination, is not only not required, but is to be despised and is pernicious, as likewise are the other ceremonies of Order ; let him be anathema.

CANON VI.—If any one saith, that, in the Catholic Church there is not a hierarchy by divine ordination instituted,^(k) consisting of bishops, priests, and ministers ; let him be anathema.

CANON VII.—If any one saith, that bishops are not superior to priests ; or, that they have not the power of confirming and ordaining ; or, that the power which they possess is common to them and to priests ; or, that orders, conferred by them, without the consent, or vocation of the people, or of the secular power, are invalid ; or, that those who have neither been rightly^(l) ordained, nor sent, by ecclesiastical and canonical power, but come from elsewhere, are lawful ministers of the word and of the sacraments ; let him be anathema.

CANON VIII.—If any one saith, that the bishops, who are assumed by authority of the Roman Pontiff, are not legitimate and true bishops, but are a human figment ; let him be anathema.

(h) Per quos, velut per gradus quosdam, in sacerdotium tendatur. (i) Imprimi.

(k) Divina ordinatione (ordinance) institutam. (l) Rite.

DECREE ON REFORMATION.

The same sacred and holy Synod of Trent, prosecuting the matter of reformation, resolves and decrees that the things following be at present ordained.

CHAPTER I.

The negligence of Pastors of Churches in residing is variously punished: provision is made for the cure of souls.

Whereas it is by divine precept enjoined on all, to whom the cure of souls is committed, to know their own sheep; to offer sacrifice for them; and, by the preaching of the divine word, by the administration of the sacraments, and by the example of all good works, to feed them; to have a fatherly care of the poor and of other distressed persons, and to apply themselves to all other pastoral duties; all which (offices) cannot be rendered and fulfilled by those who neither watch over nor are with^(m) their own flock, but abandon it after the manner of hirelings; the sacred and holy Synod admonishes and exhorts such, that, mindful of the divine precepts, and *made a pattern of the flock*,⁽ⁿ⁾ they feed and rule in judgment and in truth. And for fear lest those things which have been already elsewhere holily and usefully ordained, concerning residence, under Paul III., of happy memory, may be wrested to a meaning alien from the mind of the sacred and holy Synod, as if by virtue of that decree it were lawful to be absent during five continuous months; the sacred and holy Synod, adhering to those decrees, declares, that all persons who are—under whatsoever name and title, even though they be cardinals of the holy Roman Church—set over any patriarchal, primatial, metropolitan, and cathe-

^(m) Assistant; this word was for a long time opposed by those who denied the residence of bishops to be of divine right.

⁽ⁿ⁾ 1 Peter v. 3.

dral churches whatsoever, are obliged to personal residence in their own church, or diocese, where they shall be bound to discharge the office enjoined them ; and may not be absent thence, save for the causes and in the manner subjoined. For whereas Christian charity, urgent necessity, due obedience, and the evident utility of the Church, or of the commonwealth, require and demand that some at times be absent, this same sacred and holy Synod ordains, that these causes of lawful absence are to be approved of in writing by the most blessed Roman Pontiff, or by the metropolitan, or, in his absence, by the oldest resident suffragan bishop, whose duty it shall also be to approve of the absence of the metropolitan ; except when such absence happens in consequence of some employment and office in the state attached to the bishoprics ; the causes of which absence being notorious, and at times sudden, it will not be necessary even to notify them to the metropolitan ; to whom it shall however belong, conjointly with the provincial Council, to judge of the permissions granted by himself, or by his suffragan, and to see that no one abuse that right, and that transgressors are punished with the penalties adjudged by the canons. Meanwhile let those about to depart remember to provide in such sort for their sheep, as that, as far as possible, they may not suffer any injury through their absence. But, forasmuch as those who are only absent for a short period, are, in the sense of the ancient canons, not supposed to be absent, for that they are about to return immediately ; the sacred and holy Synod wills, that that term of absence, whether continuous or interrupted, ought not by any means to exceed two, or at most three, months ; except for the causes above named ; and that regard be had that it be done from a just cause, and without any detriment to the flock : which, whether it be the case, the Synod leaves to the conscience of those who withdraw themselves, which It hopes will be religious and timorous ; seeing that their hearts are open before God, *whose work* they are bound, at their peril, *not to do deceitfully.*^(o) In the meantime It

(^o) Jer. xlviii. 10.

admonishes and exhorts them in the Lord, that, unless their episcopal duties call them to some other part of their own diocese, they on no account be absent from their own cathedral church during the period of the Advent of the Lord, and of Lent, on the days of the Nativity, of the Lord's Resurrection, of Pentecost, and of Corpus Christi, on which days especially the sheep ought to be refreshed, and to rejoice in the Lord at the presence of the Shepherd.

But if any one, which it is hoped will never happen, shall be absent, contrary to the regulation of this decree, the sacred and holy Synod ordains, that, in addition to the other penalties imposed upon and renewed against non-residents, under Paul III., and the guilt of mortal sin which such an one incurs, he acquires no property in any fruits, in proportion to the time of his absence, and that he cannot, even though no other declaration but this follow, retain them as his with a safe conscience; but is bound, or, in his default, his ecclesiastical superior for him, to apply them to the fabric of the churches, or to the poor of the place; every kind of agreement, or composition as it is called, in regard of ill-gotten fruits, being prohibited, whereby the aforesaid fruits even might be wholly, or in part, restored to him; any privileges whatsoever, granted to any college or fabric, to the contrary notwithstanding.

The same also, both as regards the guilt, the loss of fruits, and the penalties, does the sacred and holy Synod wholly declare and decree, in regard of inferior pastors,^(p) and all others whomsoever who hold any ecclesiastical benefice having cure of souls; in such wise, however, as that, whensoever it shall happen that they are absent, for a cause that has been first made known to, and been approved of by, the bishop, they shall leave, with a due allowance of stipend, a suitable vicar, to be approved of by the Ordinary. And they shall not obtain permission to be absent,—which is to be granted in writing and gratuitously,—for a larger period than two months, except for some weighty cause; and if, after having been cited, even though not per-

(p) Curatis.

sonally, by an edict, they shall be contumacious, the Synod wills, that it be in the power of the Ordinaries to constrain them by ecclesiastical censures, and by the sequestration and subtraction of fruits, and by other legal remedies, even as far as deprivation; and that the execution hereof shall not be able to be suspended by any manner of privilege soever, license, claim as a domestic, exemption,—though even upon the ground of any manner of benefice,—by any compact, or statute,—even though confirmed by oath or by what authority soever,—by any custom, even though immemorial, which herein is to be looked upon rather as a corruption, or by any appeal, or inhibition, even in the Roman Court, or by virtue of the constitution of Eugenius. Finally, the holy Synod commands, that both the decree under Paul III., and this present, shall be published in the provincial and episcopal councils; for It desires that things so nearly concerning the office of pastors, and the salvation of souls, be frequently impressed on the minds and ears of all men, that so, with God's help, they may never hereafter be abolished through the injury of time, the forgetfulness of men, or by desuetude.

CHAPTER II.

Those set over Churches shall receive the rite of consecration within three months; where the consecration is to take place.

Those who,—under whatsoever name or title, even though they be cardinals of the holy Roman Church,—have been set over cathedral, or superior, churches, if they shall not, within three months, have received the rite of consecration, shall be bound to restore the fruits which they have received,; if they shall have neglected to do this within three other months afterwards, they shall be *ipso jure* deprived of their churches. And their consecration, if performed out of the Court of Rome, shall be celebrated in the church to which they have been promoted, or in the province, if it can be conveniently done.

CHAPTER III.

Bishops, except in case of illness, shall confer Orders in person.

Bishops shall themselves confer orders ; but, should they be prevented by illness, they shall not send their subjects to another bishop for ordination, unless they have been already approved of and examined.

CHAPTER IV.

Who are to be initiated by the first tonsure.

None shall be initiated by the first tonsure, who have not received the sacrament of Confirmation ; and who have not been taught the rudiments of the faith ; and who do not know how to read and write ; and in whose regard there is not a probable conjecture, that they have chosen this manner of life, that they may render unto God a faithful service, and not that they may fraudulently withdraw themselves from Secular jurisdiction.

CHAPTER V.

Wherewith those who are to be ordained are to be furnished.

Those who are to be promoted to minor orders shall have a good testimonial from their parish priest ; and from the master of the school in which they are educated. As to those who are to be raised to any one of the greater orders, they shall, a month before ordination, repair to the bishop, who shall commission the parish priest, or such other person as may be deemed more expedient, to state publicly in the church the names and the desire of those who wish to be promoted ; and to diligently inform himself, from persons worthy of credit, of the birth, age, morals, and life

of those who are to be ordained, and shall transmit to the bishop himself, as soon as possible, letters testimonial, containing the actual inquiry that has been made.

CHAPTER VI.

The age of fourteen years is required for an ecclesiastical benefice; who is to enjoy the privilege of the (ecclesiastical) court.

No one, after being initiated by the first tonsure, or even after being constituted in minor orders, shall be able to hold^(a) a benefice before his fourteenth year. Further, he shall not enjoy the privilege of the (ecclesiastical) court, unless he have an ecclesiastical benefice; or, wearing the ecclesiastical dress and tonsure, he serves in some church by the bishop's order, or lives with the bishop's permission in an ecclesiastical seminary, or in some school, or university, on the way as it were to receive the greater orders. As regards married clerks, the constitution of Boniface VIII., which begins, *clerici qui cum unicis*, shall be observed; provided the said clerks, being deputed by the bishop to the service or ministry of some church, serve and minister therein, and wear the clerical dress and tonsure: no privilege, or custom, even immemorial, availing any one herein.

CHAPTER VII.

Those to be ordained are to be examined by persons versed in divine and human laws.

The holy Synod, adhering to the traces of the ancient canons, ordains, that when a bishop has arranged to hold^(r) an ordination, all who may wish to be received into the sacred ministry shall be summoned to the city, for the Thursday before the said ordination, or for such other day as the bishop shall think fit.

(a) *Obtinere.*

(r) *Facere.*

And the bishop, calling to his assistance priests and other prudent persons, well skilled in the divine law, and of experience in the constitutions of the church, shall diligently investigate and examine the parentage, person, age, education, morals, learning, and faith of those who are to be ordained.

CHAPTER VIII.

How, and by whom, each ought to be ordained.

Ordinations of sacred orders shall be celebrated publicly, at the times appointed by law, and in the cathedral church, in the presence of the canons of that church, who are to be invited for that purpose ; but, if they are celebrated in some other place of the diocese, in the presence of the clergy of the place ; the principal(*) church being always, as far as possible, made use of. But each one shall be ordained by his own bishop. And if any one ask to be promoted by another bishop, this shall by no means be allowed him, even under the pretext of any general or special rescript or privilege whatsoever, even at the appointed times ; unless his probity and morals be recommended by the testimony of his own Ordinary ; otherwise, he who ordains him shall be suspended from conferring orders during a year, and he who has been ordained shall be suspended from exercising the orders which he has received, for as long a period as shall seem expedient to his own Ordinary.

CHAPTER IX.

A bishop ordaining one of his own household, shall at once and really confer upon him a benefice.

A bishop may not ordain one of his household, who is not his subject, unless he has lived with him for the space of

(*) Dignior.

three years; and he shall really, and without fraud of any kind, at once confer on him a benefice; any custom, even though immemorial, to the contrary notwithstanding.

CHAPTER X.

Prelates inferior to bishops shall not give the tonsure, or minor orders, save to Regulars their own subjects; neither shall they, nor any Chapters whatsoever, grant dimissory letters; a more grievous penalty is enacted against those who offend against this decree.

It shall not henceforth be lawful for abbots, or for any other persons whatsoever, howsoever exempted, being within the limits of any diocese, even though they be said to be of no diocese, or to be exempted, to confer the tonsure, or minor orders on any one who is not a Regular subject to them; nor shall the said abbots, and other exempted persons, or any colleges, or Chapters whatsoever, even those of cathedral churches, grant letters dimissory to any Secular clerics to be ordained by others. But the ordination of all these persons shall appertain to the bishops within the limits of whose diocese they are, all things contained in the decrees of this holy Synod being observed; any privilege, prescriptions, or customs, even though immemorial, notwithstanding. And the Synod ordains, that the penalty imposed on those, who, contrary to the decree of this holy Synod under Paul III., obtain, during the vacancy of the episcopal See, letters dimissory from the Chapter, be also extended to those who shall obtain the said letters, not from the Chapter, but from any other persons whatsoever, who, during the vacancy of the See, succeed to the jurisdiction of the bishop, in lieu of the Chapter. And they who give dimissory letters, contrary to the form of this decree, shall be *ipso jure* suspended during a year from their office and benefice.

CHAPTER XI.

The interstices, and certain other regulations, to be observed in receiving minor orders.

The minor orders shall not be given but to such as understand the Latin language at least, observing the appointed interstices of time, unless the bishop shall think it more expedient to act otherwise; that so they may be the more accurately taught how great is the obligation of this their state of life; and may exercise themselves in each office, agreeably to the appointment of the bishop; and this in the church to which they shall be assigned, unless they happen to be absent on account of their studies; and may thus ascend step by step: that so with their increasing age they may grow in worthiness of life and in learning; of which they will give proof especially by the example of their good conduct, by their assiduous service in the church, their greater reverence towards priests and the superior orders, and by a more frequent communion than heretofore of the Body of Christ. And whereas from these orders is the entrance unto higher orders and to the most sacred mysteries, no one shall be admitted thereunto,⁽¹⁾ whom the promise of knowledge does not point out as worthy of the greater orders. And such shall not be promoted to sacred orders till a year after the reception of the last degree of minor orders; unless necessity, or the utility of the church, in the bishop's judgment, shall require otherwise.

CHAPTER XII.

Age required for the major orders; the deserving only to be admitted.

No one shall for the future be promoted to the order of sub-deaconship before the twenty-second year of his age; to that of

(1) *Iis initietur, initiated therein.*

deaconship before his twenty-third year; to that of priesthood before his twenty-fifth year. Nevertheless, bishops are to know, that not all who have attained to that age must needs be admitted to the aforesaid orders, but those only who are worthy, and whose commendable life is an old age. Regulars likewise shall not be ordained under the above age, nor without a diligent examination by the bishop; all privileges whatsoever in this regard being completely set aside.

CHAPTER XIII.

On the conditions required in the Ordination of a Subdeacon and Deacon: on no one shall two sacred Orders be conferred on the same day.

Such as have a good testimonial, and have been already tried^(v) in minor orders, and are instructed in letters, and in those things which belong to the exercise of their orders, shall be ordained subdeacons and deacons. They shall have a hope, with God's help, to be able to live continently; they shall serve in the churches to which they may be assigned; and are to know that it is very highly becoming that, after ministering at the altar, they should receive the sacred communion, at least on the Lord's days and solemnities. Those who have been promoted to the sacred order of the subdeaconship shall not, until they have remained therein during at least a year, be permitted to ascend to a higher degree, unless the bishop shall judge otherwise. Two sacred orders shall not be conferred on the same day, even upon Regulars; any privileges and indults whatsoever, to whomsoever granted, to the contrary notwithstanding.

CHAPTER XIV.

Who are to be raised to the Priesthood: their office.

Those who have conducted themselves piously and faithfully in their precedent functions, and are promoted to the order of

(v) Jam probati, already approved themselves.

priesthood, shall have a good testimonial, and be persons who not only have served in their office of deacon during at least an entire year,—unless for the utility and the necessity of the Church, the bishop should judge otherwise,—but who have also been approved to be, by a careful previous examination, capable of teaching the people those things which it is necessary for all to know unto salvation, as also fit to administer the sacraments; and so conspicuous for piety and chasteness of morals, as that a shining example of good works and a lesson how to live may be expected from them. The bishop shall take care that they celebrate mass at least on the Lord's Days, and on solemn festivals; but, if they have the cure of souls, so often as to satisfy their obligation. (*) The bishop may, for a lawful cause, grant a dispensation to those who have been promoted *per saltum*, (x) provided they have not exercised the ministry (of that order).

CHAPTER XV.

No one shall hear confessions, unless he be approved of by the Ordinary.

Although priests receive in their ordination the power of absolving from sins; nevertheless, the holy Synod ordains, that no one, even though he be a Regular, is able to hear the confessions of Seculars, not even of priests, and that he is not to be reputed fit thereunto, unless he either holds a parochial benefice, or is, by the bishops, after an examination if they shall think it necessary, or in some other manner, judged capable; and has obtained their approval, which shall be granted gratuitously; any privileges, and custom whatsoever, though immemorial, to the contrary notwithstanding.

(*) Ut suo muneri (their duty) satisfaciant.

(x) Per saltum, omitting, that is, an inferior order.

CHAPTER XVI.

Those who are ordained shall be assigned to a particular church.

Whereas no one ought to be ordained, who, in the judgment of his own bishop, is not useful or necessary for his churches, the holy Synod, adhering to the traces of the sixth canon of the council of Chalcedon, ordains, that no one shall for the future be ordained without being attached to that church, or pious place, for the need, or utility of which he is promoted; there to discharge his duties, and not wander about without any certain abode. And if he shall quit that place without consulting the bishop, he shall be interdicted from the exercise of his sacred (orders). Furthermore, no cleric, who is a stranger, shall, without letters commendatory from his own Ordinary, be admitted by any bishop to celebrate the divine mysteries,^(y) and to administer the sacraments.

CHAPTER XVII.

In what manner the exercise of the minor orders is to be restored.

That the functions of holy orders, from the deacon to the janitor,—which functions have been laudably received in the Church from the times of the apostles, and which have been for some time interrupted in very many places,—may be again brought into use in accordance with the sacred canons; and that they may not be traduced by heretics as useless; the holy Synod, burning with the desire of restoring the pristine usage, ordains that, for the future, such functions shall not be exercised but by those who are actually in the said orders; and It exhorts in the Lord all and each of the prelates of the churches, and commands them, that it be their care to restore the said

(y) Divina.

functions, as far as it can be conveniently done, in the cathedral, collegiate, and parochial churches of their dioceses, where the number of the people and the revenues of the church can support it; and, to those who exercise those functions, they shall assign salaries out of some part of the revenues of any simple benefices, or those of the fabric of the church,—if the funds allow of it,—or out of the revenues of both together, of which stipends they may, if negligent, be mulcted in a part, or be wholly deprived thereof, according to the judgment of the Ordinary. And if there should not be unmarried clerics at hand to exercise the functions of the four minor orders, their place may be supplied by married clerics of approved life; provided they have not been twice married, be competent to discharge the said duties, and wear the tonsure and the clerical dress in church.

CHAPTER XVIII.

Method of establishing Seminaries for Clerics, and of educating the same therein.

Whereas the age of youth, unless it be rightly trained, is prone to follow after the pleasures of the world; and unless it be formed, from its tender years, unto piety and religion, before habits of vice have taken possession of the whole man, it never will perfectly, and without the greatest, and well-nigh special, help of Almighty God, persevere in ecclesiastical discipline; the holy Synod ordains, that all cathedral, metropolitan, and other churches greater than these, shall be bound, each according to its means and the extent of the diocese, to maintain,⁽²⁾ to educate religiously, and to train in ecclesiastical discipline, a certain number of youths of their city and diocese, or, if that number cannot be met with there, of that province, in a college to be chosen by the bishop for this purpose near the said churches, or in some other suitable place. Into this college shall be received such as are at least twelve years old, born in

(2) Alere, to feed.

lawful wedlock, and who know how to read and write competently, and whose character and inclination afford a hope that they will always serve in the ecclesiastical ministry. And It wishes that the children of the poor be principally selected; though It does not however exclude those of the more wealthy, provided they be maintained at their own expense, and manifest a desire of serving God and the Church. The bishop, having divided these youths into as many classes as he shall think fit, according to their number, age, and progress in ecclesiastical discipline, shall, when it seems to him expedient, assign some of them to the ministry of the churches, the others he shall keep in the college to be instructed; and shall supply the place of those who have been withdrawn, by others; that so this college may be a perpetual seminary of ministers of God. And that the youths may be the more advantageously trained in the afore-said ecclesiastical discipline, they shall always at once wear the tonsure and the clerical dress; they shall learn grammar, singing, ecclesiastical computation, and the other liberal arts; they shall be instructed in sacred Scripture; ecclesiastical works; the homilies of the saints; the manner of administering the sacraments, especially those things which shall seem adapted to enable them to hear confessions; and the forms of the rites and ceremonies. The bishop shall take care that they be present every day at the sacrifice of the mass, and that they confess their sins at least once a month; and receive the body of our Lord Jesus Christ as the judgment of their confessor shall direct; and on festivals serve in the cathedral and other churches of the place.

All which, and other things advantageous and needful for this object, all bishops shall ordain—with the advice of two of the senior and most experienced canons chosen by himself—as the Holy Spirit shall suggest; and shall make it their care, by frequent visitations, that the same be always observed. The froward, and incorrigible, and the disseminators of evil morals, they shall punish sharply, even by expulsion if necessary; and, removing all hindrances, they shall carefully foster whatsoever appears to tend to preserve and advance so pious and holy an institution. And forasmuch as some certain revenues will be

necessary, for raising the building of the college, for paying their salaries to the teachers and servants, for the maintenance of the youths, and for other expenses; besides those funds which are, in some churches and places, set apart for training or maintaining youths, and which are to be hereby^(a) looked upon as applied to this seminary under the said charge of the bishop; the bishops as aforesaid, with the advice of two of the Chapter,—of whom one shall be chosen by the bishop, and the other by the Chapter itself, and also of two of the clergy of the city, the election of one of whom shall in like manner be with the bishop, and of the other with the clergy,—shall take a certain part or portion, out of the entire fruits of the episcopal revenue,^(b) and of the chapter, and of all dignities whatsoever, personates, offices, prebends, portions, abbies, and priories, of whatsoever order, even though Regular, or of whatsoever quality, or condition they may be, and of hospitals which are conferred under title or administration, pursuant to the constitution of the Council of Vienne, which begins *Quia contingit*; and of all benefices whatsoever, even those belonging to Regulars, even those which are under any right of patronage, even those that are exempted, that are of no diocese, or are annexed to other churches, monasteries, hospitals, or to any other pious places, even such as are exempted; as also of the revenues devoted to the fabrics of churches, and of other places, and likewise of all other ecclesiastical revenues and proceeds whatsoever, even those of other colleges;—in which, however, there are not actually seminaries of scholars, or of teachers, for promoting the common good of the Church; for the Synod wills that those places be exempted, except in regard of such revenues as may remain over and above the suitable support of the said seminaries;—or of bodies, or confraternities, which in some places are called schools, likewise of all monasteries, with the exception of the Mendicants; also of the tithes in any way belonging to laymen, out of which ecclesiastical subsidies are wont to be paid; and those belonging to the soldiers of any,

(a) *Eo ipso.*

(b) *Mensæ episcopalis.*

military body, or order, the brethren of Saint John of Jerusalem alone excepted; and they shall apply to, and incorporate with, the said college this portion so deducted, as also a certain number of simple benefices, of whatsoever quality and dignity they may be, or even prestimonies, or prestimonial portions as they are called, even before they fall vacant, without prejudice however to the divine service, or to those who hold them. And this shall have effect, even though the benefices be reserved or appropriated to other uses; nor shall this union and application of the said benefices be suspended, or in any way hindered, by any resignation thereof, but shall still in any case have effect, notwithstanding any way whatever in which they may be vacated, even be it in the Roman court, and notwithstanding any constitution whatsoever to the contrary.

The bishop of the place shall, by ecclesiastical censures, and other legal means, even by calling in for this purpose, if he think fit, the help of the Secular arm, compel the possessors of benefices, dignities, personates, and of all and singular the above-named (revenues), to pay this portion not merely on their own account, but also on account of whatsoever pensions they may happen to have to pay to others, out of the said revenues,—keeping back however a sum equivalent to that which they have to pay on account of those pensions: notwithstanding as regards all and singular the above-mentioned premises, any privileges, exemptions—even such as might require a special derogation—any custom, even immemorial, or any appeal, and allegation, which might hinder the execution hereof. But in case it should happen that, by means of the said unions being carried into effect, or from some other cause, the said seminary should be found to be wholly or in part endowed, then shall the portion, deducted as above from all benefices and incorporated by the bishop, be remitted, either wholly or in part, as the actual circumstances shall require. But if the prelates of cathedrals, and of the other greater churches, should be negligent in erecting the said seminary, and in preserving the same, and refuse to pay their share; it will be the duty of the archbishop sharply to reprove the bishop, and to compel him to comply with all the matters aforesaid, and of the provincial Synod to reprove and

to compel in like manner the archbishop, and sedulously to provide that this holy and pious work be as soon as possible proceeded with, wherever it is possible. The bishop shall annually receive the accounts of the revenues of the said seminary, in the presence of two deputies from the Chapter, and of the same number deputed from the clergy of the city.

Furthermore, in order that the teaching in schools of this nature may be provided for at less expense, the holy Synod ordains, that bishops, archbishops, primates, and other Ordinaries of places, shall constrain and compel, even by the subtraction of their fruits, those who possess any dignities as professors of theology,^(c) and all others to whom is attached the office of lecturing, or of teaching, to teach those who are to be educated in the said schools, personally, if they be competent, otherwise by competent substitutes to be chosen by themselves, and to be approved of by the Ordinary. And if, in the judgment of the bishop, those chosen are not fit, they shall nominate another who is fit, without any appeal being allowed; but should they neglect to do this, the bishop himself shall depute one. And the aforesaid masters shall teach those things which the bishop shall judge expedient. And, henceforth, those offices, or dignities, which are called professorships of theology,^(d) shall not be conferred on any but doctors, or masters, or licentiates in divinity, or canon law, or on other competent persons, and such as can personally discharge that office; and any provision made otherwise shall be null and void: all privileges and customs whatsoever, even though immemorial, notwithstanding.

But if the churches in any province labour under so great poverty, as that a college cannot be established in certain (churches) thereof; the provincial Synod, or the metropolitan,^(e) aided by the two oldest suffragans,^(f) shall take care to establish one or more colleges, as shall be judged expedient, in the metro-

(c) Scholasterias.

(d) Scholasteria.

(e) Synodus....metropolitana; other early editions have metropolitanus.

(f) Antiquioribus.

politan, or in some other more convenient church of the province, out of the revenues of two or more churches, in which singly a college cannot conveniently be established, and there shall the youths of those churches be educated.

But in churches which have extensive dioceses, the bishop may have one or more seminaries in the diocese, as to him shall seem expedient; which seminaries shall however be entirely dependent in all things on the one erected and established in the (episcopal) city.

Finally, if, either upon occasion of the said unions, or the taxation, or assignment, and incorporation of the above-named portions, or from some other cause, there should happen to arise any difficulty, by reason of which the institution, or maintenance of the said seminary may be hindered or disturbed, the bishop with the deputies as above, or the provincial Synod according to the custom of the country, shall have power, regard being had to the character of the churches and benefices, to regulate and order all and singular the matters which shall seem necessary and expedient for the happy advancement of the said seminary, even so as to modify or enlarge, if need be, the contents hereof.

INDICTION OF THE NEXT SESSION.

Moreover, the same sacred and holy Synod of Trent indicts the next ensuing Session for the sixteenth day of the month of September; in which it will treat of the sacrament of Matrimony, and of such other matters, if there be any, relative to the doctrine of faith as can be expedited, as also on provisions for bishoprics, dignities, and other ecclesiastical benefices, and divers articles of Reformation.

The Session was prorogued to the eleventh day of November,

MDLXIII.

SESSION THE TWENTY-FOURTH,

Being the eighth under the Sovereign Pontiff, Pius IV., celebrated on the eleventh day of November, MDLXIII.

DOCTRINE ON THE SACRAMENT OF MATRIMONY.

The first parent of the human race, under the influence^(g) of the divine Spirit, pronounced the bond of matrimony perpetual and indissoluble, when he said; *This now is bone of my bones, and flesh of my flesh. Wherefore a man shall leave father and mother, and shall cleave to his wife, and they shall be two in one flesh.*^(h) But, that by this bond two only are united and joined together, our Lord taught more plainly, when rehearsing those last words as having been uttered by God, He said, *therefore now they are not two, but one flesh;*⁽ⁱ⁾ and straightway confirmed the firmness of that tie, proclaimed so long before by Adam, by these words; *What therefore God hath joined together, let no man put asunder.*^(k) But, the grace which might perfect that natural love, and confirm that indissoluble union, and sanctify the married, Christ Himself, the institutor and perfecter of the venerable sacraments, merited for us by His passion; as the Apostle Paul intimates, saying: *Husbands love your wives, as Christ also loved the Church, and delivered himself up for it;* adding shortly after, *This is a great sacrament, but I speak in Christ and in the Church.*^(l) Whereas therefore matrimony, in the evangelical law, excels in grace, through Christ, the ancient marriages; with reason have our holy Fathers, the Councils, and the tradition of the universal Church, always taught, that it is to be numbered amongst the sacraments of the new law; against which, impious men of this age raging, have not only had false notions touching this venerable sacrament, but, introducing according to their wont,

(g) Instinctu, inspiration.

(i) Matth. xix. 6.

(k) Ibid.

(h) Gen. ii. 23, 24.

(l) Ephes. v. 25, 32.

under the pretext of the Gospel, a carnal liberty, they have by word and writing asserted, not without great injury to the faithful of Christ, many things alien from the sentiment of the Catholic Church, and from the usage approved of since the times of the apostles; the holy and universal Synod wishing to meet the rashness of these men, has thought it proper, lest their pernicious contagion may draw more after it, that the more remarkable heresies and errors of the above-named schismatics be exterminated, by decreeing against the said heretics and their errors the following anathemas.

ON THE SACRAMENT OF MATRIMONY.

CANON I.—If any one saith, that matrimony is not truly and properly one of the seven sacraments of the evangelic law, (a sacrament) instituted by Christ the Lord; but that it has been invented by men in the Church; and that it does not confer grace; let him be anathema.

CANON II.—If any one saith, that it is lawful for Christians to have several wives at the same time, and that this is not prohibited by any divine law; let him be anathema.

CANON III.—If any one saith, that those degrees only of consanguinity and affinity, which are set down in Leviticus, can hinder matrimony from being contracted, and dissolve it when contracted; and that the Church cannot dispense in some of those degrees, or establish that others may hinder and dissolve it; let him be anathema.

CANON IV.—If any one saith, that the Church could not establish impediments dissolving marriage; or that she has erred in establishing them; let him be anathema.

CANON V.—If any one saith, that on account of heresy, or irksome cohabitation, or the affected^(m) absence of one of the parties, the bond of matrimony may be dissolved; let him be anathema.

(^m) Affectatam, designed, voluntary.

CANON VI.—If any one saith, that matrimony contracted, but not consummated, is not dissolved by the solemn profession of religion by one of the married parties ; let him be anathema.

CANON VII.—If any one saith, that the Church has erred, in that she hath taught, and doth teach, in accordance with the evangelical and apostolical doctrine, that the bond of matrimony cannot be dissolved on account of the adultery of one of the married parties ; and that both, or even the innocent one who gave not occasion to the adultery, cannot contract another marriage, during the life-time of the other ; and, that he is guilty of adultery, who, having put away the adulteress, shall take another wife, as also she, who, having put away the adulterer, shall take another husband ; let him be anathema.

CANON VIII.—If any one saith, that the Church errs, in that she declares that, for many causes, a separation may take place between husband and wife, in regard of bed, or in regard of cohabitation, for a determinate or for an indeterminate period ; let him be anathema.

CANON IX.—If any one saith, that clerics constituted in sacred orders, or Regulars, who have solemnly professed chastity, are able to contract marriage, and that being contracted it is valid, notwithstanding the ecclesiastical law, or vow ; and that the contrary is nothing else than to condemn marriage ; and, that all who do not feel that they have the gift of chastity, even though they have made a vow thereof, may contract marriage ; let him be anathema : seeing that God refuses not that gift to those who ask for it rightly, neither does *He suffer us to be tempted above that which we are able.*(*)

CANON X.—If any one saith, that the marriage state is to be placed above^(o) the state of virginity, or of celibacy, and that it is not better ~~and more~~ blessed to remain in virginity, or in celibacy, than to be united in matrimony ; let him be anathema.

CANON XI.—If any one saith, that the prohibition of the solemnization of marriages at certain times of the year, is a tyrannical superstition, derived from the superstition of the

(*) 1 Cor. x. 13.

(o) Antepoenendum, preferred before.

heathen; or, condemn the benedictions and other ceremonies which the Church makes use of therein; let him be anathema.

CANON XII.—If any one saith, that matrimonial causes do not belong to^(p) ecclesiastical judges; let him be anathema.

DECREE ON THE REFORMATION OF MARRIAGE.

CHAPTER I.

The form prescribed in the Council of Lateran for solemnly contracting marriage is renewed.—Bishops may dispense with the bans.—Whosoever contracts marriage, otherwise than in the presence of the Parish Priest and of two or three witnesses, contracts it invalidly.

Although it is not to be doubted, that clandestine marriages, made with the free consent of the contracting parties, are valid^(q) and true marriages, so long as the Church has not rendered them invalid; and consequently, that those persons are justly to be condemned, as the holy Synod doth condemn them with anathema, who deny that such marriages are true and valid; as also those who falsely affirm that marriages contracted by the children of a family,^(r) without the consent of their parents, are invalid, and that parents can make such marriages either valid or invalid; nevertheless, the holy Church of God has, for reasons most just, at all times detested and prohibited such marriages. But whereas the holy Synod perceives that those prohibitions, by reason of man's disobedience, are no longer of avail; and whereas it takes into account the grievous sins which arise from the said clandestine marriages, and especially the sins of those parties who live on in a state of damnation, when, having left their former wife, with whom they had contracted marriage secretly, they publicly marry another, and with her live in per-

(p) Spectare ad.

(q) Rata.

(r) A filiis familias.

petual adultery ; an evil which the Church, which judges not of what is hidden, cannot rectify, unless some more efficacious remedy be applied ; wherefore, treading in the steps of the sacred Council of Lateran celebrated under Innocent III., It ordains that, for the future, before a marriage is contracted, the proper parish priest of the contracting parties shall three times announce publicly in the Church, during the solemnization of mass, on three continuous festival days, between whom marriage is to be celebrated ; after which publication of banns,^(*) if there be no lawful impediment opposed, the marriage shall be proceeded with in the face of the church ; where the parish priest, after having interrogated the man and the woman, and heard^(†) their mutual consent, shall either say, "I join you together in matrimony, in the name of the Father, and of the Son, and of the Holy Ghost ;" or, he shall use other words, according to the received rite of each province. But if upon occasion, there should be a probable suspicion that the marriage may be maliciously hindered, if so many publications of banns precede it ; in this case either one publication only shall be made ; or at least the marriage shall be celebrated in the presence of the parish priest, and of two or three witnesses : Then, before the consummation thereof, the banns shall be published in the church ; that so, if there be any secret impediments, they may be the more easily discovered : unless the Ordinary shall himself judge it expedient, that the publications aforesaid be dispensed with, which the holy Synod leaves to his prudence and judgment. Those who shall attempt to contract marriage otherwise than in the presence of the parish priest, or of some other priest by permission of the said parish priest, or of the Ordinary, and in the presence of two or three witnesses ; the holy Synod renders such wholly incapable of thus contracting, and declares such contracts invalid and null, as by the present decree It invalidates and annuls them. Moreover It enjoins, that the parish priest, or any other priest, who shall have been

(*) *Quitus denuntiationibus factis.*

(†) *Intellecto, understood, become acquainted with.*

present at any such contract with a less number of witnesses (than as aforesaid); as also the witnesses who have been present thereat without the parish priest, or some other priest; and also the contracting parties themselves; shall be severely punished, at the discretion of the Ordinary. Furthermore, the same holy Synod exhorts the bridegroom and bride^(v) not to live together in the same house until they have received the sacerdotal benediction, which is to be given in the church; and It ordains that the benediction shall be given by their own parish priest, and that permission to give the aforesaid benediction cannot be granted by any other than the parish priest himself, or the Ordinary; any custom, even though immemorial, which ought rather to be called a corruption, or any privilege to the contrary, notwithstanding. And if any parish priest, or any other priest, whether Regular or Secular, shall presume to unite in marriage the betrothed of another parish, or to bless them when married,^(w) without the permission of their parish priest, he shall—even though he may plead that he is allowed to do this by a privilege, or an immemorial custom,—remain *ipso jure* suspended, until absolved by the Ordinary of that parish priest who ought to have been present at the marriage, or from whom the benediction ought to have been received.

The parish priest shall have a book, which he shall keep carefully by him, in which he shall register the names of the persons married, and of the witnesses, and the day on which, and the place where, the marriage was contracted.

Finally, the holy Synod exhorts those who marry, that, before they contract marriage, or, at all events, three days before the consummation thereof, they carefully confess their sins, and approach devoutly to the most holy sacrament of the Eucharist.

If any provinces have herein in use any praise-worthy customs and ceremonies, besides the aforesaid, the holy Synod earnestly desires that they be by all means retained.

And that these so wholesome injunctions may not be unknown

(v) Conjuges, the married couple.

(w) Alterius parochiæ sponso. . . . matrimonio conjungere, aut benedicere.

to any, It enjoins on all Ordinaries, that they, as soon as possible, make it their care that this decree be published and explained to the people in every parish church of their respective dioceses; and that this be done as often as may be during the first year; and afterwards as often as they shall judge it expedient. It ordains, moreover, that this decree shall begin to be in force in each parish, at the expiration of thirty days, to be counted from the day of its first publication made in the said parish.

CHAPTER II.

Between whom Spiritual Relationship is contracted.

Experience teaches, that, by reason of the multitude of prohibitions, marriages are oftentimes unwittingly contracted in prohibited cases, in which marriages either the parties continue to live on, not without great sin, or they are dissolved, not without great scandal. Wherefore, the holy Synod, wishing to provide against this inconvenience, and beginning with the impediment arising from spiritual relationship, ordains, that, in accordance with the appointments of the sacred canons, one person only, whether male or female, or at most one male and one female, shall receive in baptism(*) the individual baptized; between whom and the baptized, and the father and mother thereof; as also between the person baptizing and the baptized, and the father and mother of the baptized; and these only; shall spiritual relationship be contracted.

The parish priest, before he proceeds(†) to confer baptism, shall carefully inquire of those whom it may concern, what person or persons they have chosen to receive from the sacred font the individual baptized, and he shall allow him or them only to receive the baptized; shall register their names in the book, and teach them what relationship they have contracted, that they may not have any excuse on the score of ignorance.

(*) De baptismo, from baptism.

(†) Acedat.

And if any others, besides those designated, should touch the baptized, they shall not in any way contract a spiritual relationship; any constitutions that tend to the contrary notwithstanding. If through the fault or negligence of the parish priest any thing be done contrary hereto, he shall be punished, at the discretion of the Ordinary. That relationship, in like manner, which is contracted by confirmation shall not pass beyond him who confirms the person confirmed, his father and mother, and him who places his hand on him;(*) all impediments arising from this kind of spiritual relationship between other persons being utterly set aside.

CHAPTER III.

The impediment of public honesty is confined within certain limits.

The holy Synod entirely removes the impediment of justice arising from public honesty,(*) whensoever espousals shall be, for whatsoever cause, not valid; but, when they are valid, the impediment shall not extend beyond the first degree; forasmuch as any such prohibition can no longer be observed, without injury, in more remote degrees.

CHAPTER IV.

Affinity arising from fornication is confined to the second degree.

Moreover, the holy Synod, moved by the same and other most weighty reasons, limits, to those only who are connected in the first and second degree, the impediment contracted by affinity arising from fornication, and which dissolves the marriage that may have been afterwards contracted. It ordains

(*) Tenentem, who holds him.

(*) Justitiæ publicæ honestatis impedimentum.

that, as regards degrees more remote, this kind of affinity does not dissolve the marriage that may have been afterwards contracted.

CHAPTER V.

No one is to marry within the prohibited degrees:^a in what manner dispensation is to be granted therein.

If any one shall presume knowingly to contract marriage within the prohibited degrees, he shall be separated, and be without hope of obtaining a dispensation; and this shall much the rather have effect in regard of him who shall have dared not only to contract such a marriage, but also to consummate it. But if he have done this in ignorance, but yet has neglected the solemnities required in contracting matrimony, he shall be subjected to the same penalties. For he who has rashly despised the wholesome precepts of the Church, is not worthy to experience without difficulty her bounty. But if, having observed those solemnities, some secret impediment be afterwards discovered, of which it was not unlikely that he should be ignorant, he may in this case more easily obtain a dispensation, and that gratuitously. As regards marriages to be contracted, either no dispensation at all shall be granted, or rarely, and then for a cause, and gratuitously. A dispensation shall never be granted in the second degree, except between great princes, and for a public cause.

CHAPTER VI.

Punishments inflicted on Abductors.

The holy Synod ordains, that no marriage can subsist between the abducer and her who is abducted,^(b) so long as she shall remain in the power of the abducer. But if she that has been

(b) Inter raptorem et raptam, between the ravisher, and her who is ravished.

abducted, being separated from the abducer, and being in a safe and free place, shall consent to have him for her husband, the abducer may have^(c) her for his wife; but nevertheless the abducer himself and all who lent him advice, aid, and countenance, shall be *ipso jure* excommunicated, for ever infamous, and incapable of all dignities; and if they be clerics they shall forfeit their rank. The abducer shall furthermore be bound, whether he marry the person abducted, or marry her not, to settle on her a handsome^(d) dowry at the discretion of the judge.

CHAPTER VII.

Vagrants are to be married with caution.

There are many persons who are vagrants, having no settled homes; and, being of a profligate character, they, after abandoning their first wife, marry another, and very often several in different places, during the life-time of the first. The holy Synod, being desirous to obviate this disorder, gives this fatherly admonition to all whom it may concern, not easily to admit this class of vagrants to marriage; and It also exhorts the civil magistrates to punish such persons severely. But It commands parish priests not to be present at the marriages of such persons, unless they have first made a careful inquiry, and, having reported the circumstance to the Ordinary, they shall have obtained permission from him for so doing.

CHAPTER VIII.

Concubinage is severely punished.

It is a grievous sin for unmarried men to have concubines; but it is a most grievous sin, and one committed in special contempt of this great sacrament, for married men also to live in this state of damnation, and to have the audacity at times to

^(c) Habeat.

^(d) Decenter.

maintain and keep them at their own homes even with their own wives. Wherefore, the holy Synod, that it may by suitable remedies provide against this exceeding evil, ordains that these concubinaries, whether unmarried or married, of whatsoever state, dignity, and condition they may be, if, after having been three times admonished on this subject by the Ordinary, even *ex officio*, they shall not have put away their concubines, and have separated themselves from all connexion with them, they shall be smitten with excommunication; from which they shall not be absolved until they have really obeyed the admonition given them. But if, regardless of this censure, they shall continue in concubinage during a year, they shall be proceeded against with severity by the Ordinary, according to the character of the crime. Women, whether married or single, who publicly live with adulterers or with concubinaries, if, after having been three times admonished, they shall not obey, shall be rigorously punished, according to the measure of their guilt, by the Ordinaries of the places, *ex officio*, even though not called upon to do so by any one; and they shall be cast forth from the city or diocese, if the Ordinaries shall think fit, calling in the aid of the Secular arm, if need be; the other penalties inflicted on adulterers and concubinaries remaining in their full force.

CHAPTER IX.

Temporal lords, or magistrates, shall not attempt anything contrary to the liberty of marriage.

Earthly affections and desires do for the most part so blind the eyes of the understanding of temporal lords and magistrates, as that, by threats and ill-usage, they compel both men and women, who live under their jurisdiction,—especially such as are rich, or who have expectations of a great inheritance,—to contract marriage against their inclination with those whom the said lords or magistrates may prescribe unto them. Wherefore, seeing that it is a thing especially execrable to violate the liberty of matrimony, and that wrong comes from those from whom right is looked for, the holy Synod enjoins on all, of

whatsoever grade, dignity, and condition they may be, under pain of anathema to be *ipso facto* incurred, that they put no constraint,^(*) in any way whatever, either directly or indirectly, on those subject to them, or any others whomsoever, so as to hinder them from freely contracting marriage.

CHAPTER X.

The solemnities of marriage are prohibited at certain times.

The holy Synod enjoins, that the ancient prohibitions of solemn nuptials be carefully observed by all, from the Advent of our Lord Jesus Christ until the day of the Epiphany, and from Ash-Wednesday until the octave of Easter inclusively; but at other times It allows marriages to be solemnly celebrated; and the bishops shall take care that they be conducted with becoming modesty and propriety: for marriage is a holy thing, and is to be treated in a holy manner.

DECREE ON REFORMATION.

The same sacred and holy Synod, prosecuting the subject of Reformation, ordains that the things following be established in the present Session.

CHAPTER I.

The manner of proceeding to the creation of Bishops and Cardinals.

If, as regards all manner of degrees in the Church, a provident and enlightened care is to be taken, that in the house of the Lord there be nothing disorderly, nothing unseemly; much more ought we to strive that no error be committed in the election of him who is constituted above all those degrees.

(*) No cogant.

For the state and order of the whole household of the Lord will totter, if what is required in the body be not found in the head. For which cause, although the holy Synod has elsewhere usefully ordained certain things touching those who are to be promoted to cathedral and superior churches, yet doth it account this office to be of such a nature, as that were it to be pondered upon in proportion to its greatness, there would never seem to have been caution enough taken. Wherefore It ordains, that, as soon as a church shall become vacant, processions, and prayers shall be made in public and private ; and such shall be enjoined, by the Chapter, throughout the city and diocese ; that thereby both clergy and people may be enabled to obtain from God a good pastor.

And as regards all and each of those who have, in any way, any right from the Apostolic See, or who otherwise have a part, in the promotion of those to be set over the churches ; the holy Synod,—without making any change herein, from a consideration of the circumstances of the present time,—exhorts and admonishes them, that they above all things bear in mind that they cannot do anything more conducive to the glory of God, and the salvation of the people, than to study to promote good pastors, and such as are capable of governing a church ; and that they sin mortally, becoming partakers in others' sins, unless they carefully endeavour that those be promoted whom they themselves judge the most worthy ^(f) of, and useful to, the church, not guided by entreaties, or human affection, or the solicitations of pretenders,^(g) but by what the merits of the individuals require at their hands ; and seeing that they be persons whom they know to have been born in lawful wedlock, and who, by their life, learning, and in all other qualifications, are such as are required by the sacred canons, and by the decrees of this Synod of Trent.

And forasmuch as, by reason of the diversity of nations, peoples, and customs, a uniform system cannot be followed everywhere, in receiving the grave and competent testimony of

(f) Digniores.

(g) Ambientum, canvassers.

good and learned men on the subject of the aforesaid qualifications, the holy Synod ordains, that, in a provincial Synod, to be held by the metropolitan, there shall be prescribed for each place and province a proper^(h) form of examination, scrutiny, or information, such as shall seem to be most useful and suitable for the said places, which form is to be submitted to the approval of the most holy Roman Pontiff; yet so, however, that, after that this examination, or scrutiny, as regards the person to be promoted, shall have been completed, it shall, after being reduced into the form of a public document, be necessarily transmitted, as soon as possible, with all the attestations and with the profession of faith made by the individual to be promoted, to the most holy Roman Pontiff, in order that the said Sovereign Pontiff, having a full knowledge of the whole matter and of the persons, may, for the advantage of the Lord's flock, in a most useful manner provide those churches therewith, if they shall have been found, by the examination or scrutiny, suitable persons.⁽ⁱ⁾ And all the scrutinies, informations, attestations, and proofs of whatsoever kind, and by whomsoever made, even though in the Roman court, touching the qualifications of the person to be promoted, shall be carefully examined by a cardinal—who shall report thereon to the consistory—aided therein by three other cardinals; and the said report shall be authenticated by the signature of the cardinal who drew up the report, and of the three other cardinals; and therein each of the four cardinals shall make affirmation that, after giving exact attention thereto, he has found the persons to be promoted, endowed with the qualifications required by law, and by this holy Synod, and that, at the peril of his eternal salvation, he doth certainly think them fit to be placed over the churches: in such wise that, after the report has been made in one consistory, the sentence shall be deferred until another consistory, in order that the said inquiry may be more maturely looked into in the mean time,—unless the most blessed Pontiff shall judge it expedient to act otherwise.

(h) *Propria*.

(i) The passage may also be translated; "may, in a more useful manner, provide for those churches, for the advantage of the Lord's flock," &c.

And the Synod ordains, that all and singular the particulars which have been elsewhere ordained, in the same Synod, touching the life, age, learning, and the other qualifications of those who are to be appointed bishops, the same are also to be required in the creation of cardinals—even though they be deacons—of the holy Roman Church; whom the most holy Roman Pontiff shall, as far as it can be conveniently done, select out of all the nations of Christendom, as he shall find persons suitable.

Finally, the same holy Synod, moved by the so many most grievous afflictions of the Church, cannot avoid recording, that nothing is more necessary for the Church of God than that the most blessed Roman Pontiff apply especially here that solitude, which, by the duty of his office, he owes to the Universal Church,—that he take unto himself, to wit as cardinals, persons the most select only, and that he appoint over each church, above all things, good and fit pastors; and this the more, for that our Lord Jesus Christ will *require at his hands the blood* ^(*) of those sheep of Christ which shall perish through the evil government of pastors who are negligent, and forgetful of their office.

CHAPTER II.

A Provincial Synod to be celebrated every third year, a Diocesan Synod every year: who are to convoke, and who to be present thereat.

Provincial councils, wheresoever they have been omitted, shall be renewed, for the regulating of morals, the correcting of excesses, the composing of controversies, and for the other purposes allowed of by the sacred canons. Therefore, the metropolitans in person, or if they be lawfully hindered, the oldest suffragan bishop shall not fail to assemble a Synod, each in his own province, within a year at latest from the termination of the present council, and afterwards, at least every third year,

(*) Ezech. iii. 18.

either after the octave of the Resurrection of our Lord Jesus Christ, or at some other more convenient time, according to the custom of the province; at which council all the bishops and others, who, by right or custom, ought to be present thereat, shall be absolutely bound to assemble, those excepted who would have to cross the sea at their imminent peril. The bishops of the province shall not, for the future, be compelled, under the pretext of any custom whatsoever, to repair against their will to the metropolitan church. Those bishops likewise who are not subject to any archbishop, shall once for all make choice of some neighbouring metropolitan, at whose provincial Synod they shall be bound⁽¹⁾ to be present with the other bishops, and shall observe, and cause to be observed, whatsoever shall be therein ordained. In all other respects, their exemption and privileges shall remain whole and entire.

Diocesan Synods also shall be celebrated every year; to which all those even who are exempted, but who would otherwise, that exemption ceasing, have to attend, and who are not subject to general Chapters, shall be bound to come; understanding however that, on account of parochial, or other Secular churches, even though annexed, those who have charge thereof must needs,^(m) whosoever they may be, be present at the said Synod. But if any, whether metropolitans, or bishops, or the others above-named, shall be negligent in these matters, they shall incur the penalties enacted by the sacred canons.

CHAPTER III.

In what manner Prelates are to make their visitation.

Patriarchs, primates, metropolitans, and bishops shall not fail to visit their respective dioceses, either personally, or, if they be lawfully hindered, by their Vicar-general, or visitor; if they shall not be able on account of its extent, to make the visitation of the whole annually, they shall visit at least the greater part thereof, so that the whole shall be completed in two years,

(1) Debeant.

(m) Debeant.

either by themselves, or by their visitors. Metropolitans, however, even after having made a complete visitation of their own proper diocese, shall not visit the cathedral churches, or the dioceses of the bishops of their province, except for a cause taken cognizance and approved of in the provincial Council.

But archdeacons, deans, and other inferiors, who have been hitherto accustomed lawfully to exercise (the power of) visitation in certain churches, shall henceforth visit those same places, but by themselves only, with the consent of the bishop, and assisted by a notary. The visitors also who may be deputed by a Chapter, where the Chapter has the right of visitation, shall be first approved of by the bishop; but the bishop, or, if he be hindered, his visitor, shall not thereby be prevented from visiting those same churches apart from those deputies; and the said archdeacons, and other inferiors, shall be bound to give the bishop an account, within a month, of the visitation that has been made, and to show him the depositions of witnesses, and the proceedings in their entire form; any custom, even though immemorial, and any exemptions and privileges whatsoever notwithstanding.

But the principle object of all these visitations shall be to lead to sound and orthodox doctrine, by banishing heresies; to maintain good morals, and to correct such as are evil; to animate the people, by exhortations and admonitions, to religion, peacefulness, and innocence; and to establish such other things as to the prudence of the visitors shall seem for the profit of the faithful, according as time, place and opportunity shall allow. And to the end that all this may have a more easy and prosperous issue, all and each of the aforesaid, to whom the right of visitation belongs, are admonished to treat all persons with fatherly love and Christian zeal; and with this view being content with a modest train of servants and horses, they shall endeavour to complete the said visitation as speedily as possible, though with due carefulness. And during it they shall be careful not to be troublesome or burthensome to any one by any useless expenses; and neither they, nor any of theirs, shall, by way of agency fee for the visitation, or, on account of wills made for pious uses—except that which is of right due to them out of

pious bequests—or under any other name whatsoever, receive anything, be it money, or present, of whatsoever kind, or in whatsoever way offered; any custom, even though immemorial, to the contrary notwithstanding; with the exception, however, of food,^(a) which shall be furnished frugally and in moderation to them and theirs, only during the time necessary for the visitation, and no longer. It shall, however, be at the option of those who are visited, to pay, if they prefer it, in money, according to a fixed assessment, what they have been accustomed heretofore to disburse, or to furnish the food^(o) as aforesaid; saving also the right of ancient conventions entered into with monasteries, or other pious places, or churches not parochial, which right shall remain inviolate. But, in those places or provinces, where it is the custom that neither food, money, nor anything else be received by the visitors, but that all be done gratuitously, the same shall be retained there.

But if any one, which God forbid, shall presume to receive anything more than is prescribed in any of the cases above-named; besides the restitution of double the amount which is to be made within a month, he shall also be subjected, without any hope of pardon, to the other penalties contained in the constitution of the general Council of Lyons, which begins, *Exigit*; as also to the other penalties (which shall be enacted) in the provincial Synod, at the discretion of that Synod.

As regards patrons, they shall not presume in any way to interfere in those things which regard the administration of the sacraments; neither shall they meddle with the visitation of the ornaments of the church, or its revenues arising from landed property,^(p) or from buildings, excepting so far as they are competent to do this by the institution, or foundation; but the bishops themselves shall attend to these things, and shall take care that the revenues of those buildings be expended upon purposes necessary and useful for the church, as to them shall seem most expedient.

(a) Victualibus.

(p) Bona stabilia.

(o) Victualia.

CHAPTER IV.

By whom, and when, the office of preaching is to be discharged : the Parish Church to be frequented in order to hear the word of God. No one shall preach in opposition to the will of the Bishop.

The holy Synod, desirous that the office of preaching, which peculiarly belongs to bishops,⁽⁹⁾ may be exercised as frequently as possible, for the welfare of the faithful, and accommodating more aptly to the use of the present times, the canons elsewhere set forth on this subject, under Paul III., of happy memory, ordains, that the bishops shall themselves in person, each in his own church, announce the sacred Scriptures and the divine law, or, if lawfully hindered, it shall be done by those whom they shall appoint to the office of preaching; and in the other churches by the parish priests, or, if they be hindered, by others to be deputed by the bishop, whether it be in the city, or in any other part whatsoever of the diocese wherein they shall judge such preaching expedient, at the charge of those who are bound, or who are accustomed, to defray it, and this at least on all Lord's Days and solemn festivals; but, during the season of the fasts, of Lent and of the Advent of the Lord, daily, or at least on three days in the week, if the said bishop shall deem it needful; and, at other times, as often as they shall judge that it can be opportunely done. And the bishop shall diligently admonish the people, that each one is bound to be present at his own parish church, where it can be conveniently done, to hear the word of God. But no one, whether Secular or Regular, shall presume to preach, even in churches of his own order, in opposition to the will of the bishop.

The said bishops shall also take care, that, at least on the Lord's Days and other festivals, the children in every parish be carefully taught the rudiments of the faith, and obedience towards

(9) Prædicationis munus, quod episcoporum præcipuum est.

God and their parents, by those whose duty it is, and who shall be constrained thereunto by their bishops, if need be, even by ecclesiastical censures; any privileges and customs notwithstanding. In other respects, those things decreed, under the said Paul III., concerning the office of preaching, shall have their full force.

CHAPTER V.

In criminal causes against Bishops, the greater causes shall be taken cognizance of by the Sovereign Pontiff only, the less by the Provincial Council.

The more grave criminal causes against bishops, even of heresy—which may God forefend—which merit deposition or deprivation, shall be taken cognizance of and decided by the Sovereign Roman Pontiff himself only. But if the cause shall be of such a nature that it must necessarily be committed out of the Roman Court, it shall not be committed to any others soever, but metropolitans, or bishops, to be chosen by the most blessed Pope. And this commission shall both be special, and shall be signed by the most holy Pontiff's own hand; nor shall he ever grant more to those commissioners than this,—that they take information only of the fact, and draw up the process, which they shall immediately transmit to the Roman Pontiff; the definitive sentence being reserved to the said most holy Pontiff.

The other things hereupon elsewhere decreed, under Julius III., of happy memory, as also the constitution published in a general Council under Innocent III., which begins, *Qualiter et quando*, which constitution the holy Synod renews in this present decree, shall be observed by all.

But the less criminal causes of bishops shall be taken cognizance of and decided in the provincial Council only, or by persons deputed thereunto by the provincial Council.

CHAPTER VI.

When and how the Bishop may absolve from crime, and dispense in cases of irregularity and suspension.

It shall be lawful for the bishop to dispense in all manner of irregularities and suspensions, arising from a crime that is secret,—except that proceeding from wilful homicide, and those crimes which have been already carried before a legal tribunal;—and (it shall be lawful for them), in their own diocese, either by themselves, or by a vicar to be deputed especially for that purpose, to absolve gratuitously, as far as the tribunal of the conscience is concerned,^(r) after imposing a salutary penance, all delinquents whatsoever their subjects, in all cases whatsoever that are secret, even though reserved to the Apostolic See. The same also, as regards the crime of heresy, shall be permitted them in the said court of conscience, but to them only, and not to their vicars.

CHAPTER VII.

The virtue of the Sacraments shall, before being administered to the people, be explained by Bishops and Parish Priests; during the solemnization of mass, the sacred oracles shall be explained.

In order that the faithful people may approach to the reception of the sacraments with greater reverence and devotion of mind, the holy Synod enjoins on all bishops, that, not only when they are themselves about to administer them to the people, they shall first explain, in a manner suited to the capacity of those who receive them, the efficacy and use of those sacraments, but shall endeavour that the same be done piously and prudently

(r) In foro conscientiae.

by every parish priest; and this even in the vernacular tongue, if need be, and it can be conveniently done; and in accordance with the form which will be prescribed for each of the sacraments, by the holy Synod, in a catechism which the bishops shall take care to have faithfully translated into the vulgar tongue, and to have expounded to the people by all parish priests; as also that, during the solemnization of mass,^(*) or the celebration of the divine offices, they explain, in the said vulgar tongue, on all festivals, or solemnities, the sacred oracles, and the maxims of salvation; and that, setting aside all unprofitable questions, they endeavour to impress them on the hearts of all, and to instruct them in the law of the Lord.

CHAPTER VIII.

On public sinners, a public penance shall be imposed, unless the Bishop shall determine otherwise: a Penitentiary to be instituted in Cathedral Churches.

The apostle admonishes that those who sin publicly are to be reproved openly.^(†) When, therefore, any one has, publicly and in the sight of many, committed a crime, whereby there is no doubt that others have been offended and scandalized; there must needs be publicly imposed upon him a penance suitable to the measure of his guilt; that so those whom he has allured to evil manners by his example, he may bring back to an upright life by the testimony of his amendment. The bishop, however, may, when he judges it more expedient, commute this kind of public penance into one that is secret. Likewise, in all cathedral churches, where it can be conveniently done, the bishop shall appoint a penitentiary, annexing thereto the prebend that shall next become vacant, which penitentiary shall be a master, or doctor, or licentiate in theology, or in canon law, and forty years of age, or otherwise one who shall be found more suitable

(*) Inter missarum solemnia.

(†) 1 Tim. v. 20.

considering the character of the place; and, whilst hearing confessions in the church, he shall be meanwhile reputed as present in choir.

CHAPTER IX.

By whom Secular Churches, not of any diocese, are to be visited.

Those things which have elsewhere been established by this same Council, under Paul III., of happy memory, and lately under our most blessed lord Pius IV., touching the diligence to be used by the Ordinaries in visiting benefices, even though exempted, the same shall also be observed in regard of those Secular churches which are said to be in no one's diocese; to wit they shall be visited by the bishop—as the delegate of the Apostolic See—whose cathedral church is the nearest, if he be able to do so; otherwise, by him whom the prelate of the said place has once for all selected in the provincial Council;—any privileges and customs whatsoever, even though immemorial, to the contrary notwithstanding.

CHAPTER X.

Where visitation and correction of morals are concerned, no suspension of decrees is allowed.

Bishops, that they may be the better able to keep the people whom they rule in duty and obedience, shall, in all those things which regard visitation and correction of manners, have the right and power, even as delegates of the Apostolic See, of ordaining, regulating, correcting, and executing, in accordance with the enactments of the canons, those things which, in their prudence, shall seem to them necessary for the amendment of their subjects, and for the good of their respective dioceses. Nor herein, when visitation and correction of manners are concerned, shall any exemption, or any inhibition, or appeal, or complaint, even though interposed to the Apostolic See, in any way hinder, or suspend the execution of those things which shall have been by them enjoined, decreed, or adjudged.

CHAPTER XI.

Honorary titles, or particular privileges, shall not derogate in any way from the right of bishops.

Forasmuch as the privileges and exemptions which, under various titles, are granted to very many persons, are clearly seen to raise, in these days, confusion in the jurisdiction of bishops, and to give occasion to those exempted to lead a more relaxed life; the holy Synod ordains, that if at any time it be thought proper, for just, weighty, and well nigh compulsory causes, that certain persons be distinguished by the honorary titles of Protonotary, Acolyte, Count Palatine, Royal Chaplain, or other such titles of distinction, whether in the Roman court or elsewhere; as also that others be admitted into monasteries as Oblates, or as attached thereunto in some other way, or under the name of servants to military orders, monasteries, hospitals, colleges, or under any other title whatsoever; nothing is to be understood as being, by these privileges, taken away from the Ordinaries, so as to prevent those persons, unto whom those privileges have already been granted, or to whom they may be hereafter conceded, from being fully subject in all things to the said Ordinaries, as delegates of the Apostolic See, and this as regards Royal Chaplains, in accordance with the constitution of Innocent III., which begins *Cum capella*: those persons, however, being excepted, who are engaged in actual service in the aforesaid places, or in military orders, and who reside within their enclosures and houses, and live under obedience to them; as also those who have made their profession lawfully and according to the rules of the said military orders, whereof the Ordinary must be certified: notwithstanding any privileges whatsoever, even those of the order of Saint John of Jerusalem, and of other military orders. But, as regards those privileges which by virtue of the constitution of Eugenius, those are accustomed to enjoy who reside in the Roman Court, or who are in the household of cardinals, such privileges shall in no wise be understood to apply to those who hold ecclesiastical benefices, in so

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far as those benefices are concerned ; but such shall con-
subject to the jurisdiction of the Ordinary ; any inhibition
the contrary notwithstanding.

CHAPTER XII.

*What manner of persons those ought to be who are to be
promoted to the dignities and canonries of Cathedral Churches :
and what those so promoted are bound to perform.*

Whereas dignities, especially in cathedral churches, were
established to preserve and increase ecclesiastical discipline,
with the view that those who should obtain them, might be
pre-eminent in piety, be an example to others, and aid the
bishop by their exertions and services ; it is but right, that those
who are called unto those dignities, should be such as to be
able to answer the purposes of their office. Wherefore, no one
shall henceforth be promoted to any dignities whatsoever, to
which the cure of souls is attached, who has not attained at
least to the twenty-fifth year of his age, and, having been ex-
ercised^(*) for some time in the clerical order, is recommended
by the learning necessary for the discharge of his office, and by
integrity of morals, conformably to the constitution of Alexander
III., promulgated in the Council of Lateran, which begins, *Cum
in cunctis*.

In like manner archdeacons, who are called the eyes of the
bishop, shall, in all churches, where it is possible, be masters in
theology, or doctors or licentiates in canon law. But, to the
other dignities or personates, to which no cure of souls is at-
tached, clerics shall be promoted, who are in other respects
qualified, and who are not less than twenty-two years of age.
Those also who are promoted to any benefices whatsoever hav-
ing cure of souls, shall, within two months at the latest from the
day of obtaining possession, be bound to make a public profes-
sion of their orthodox faith in the presence^(*) of the bishop

(*) Versatus.

(*) In manibus, *lit.*, in the hands.

himself, or, if he be hindered, before his Vicar-general, or official; and shall promise and swear, that they will continue in obedience to the Roman Church. But those who are promoted to canonries and dignities in cathedral churches, shall be bound to do this not only before the bishop, or his official, but also in the Chapter; otherwise all those promoted as aforesaid shall not render the fruits theirs; nor shall possession avail them anything. No one shall henceforth be received to a dignity, canonry, or portion, but one who has either already been admitted to that sacred order which that dignity, prebend, or portion requires, or is of such an age as to be capable of being admitted to that order, within the time prescribed by law and by this holy Synod. As regards all cathedral churches, all canonries and portions shall be attached to the order of the priesthood, deaconship, or subdeaconship; and the bishop, with the advice of the Chapter, shall designate and apportion, as he shall judge expedient, to which thereof each of those respective sacred orders is for the future to be annexed; in such wise, however, that one half at least shall be priests, and the rest deacons, or subdeacons: but where the more praiseworthy custom requires, that the greater part, or that all be priests, it shall be by all means retained. Moreover, the holy Synod exhorts that, in provinces where it can conveniently be done, all the dignities, and one half at least of the canonries, in cathedral and eminent collegiate churches, be conferred only on masters, or doctors, or even on licentiates in theology, or canon law. Furthermore, it shall not be lawful, by virtue of any manner of statute or custom whatsoever, for those who possess, in the said cathedral or collegiate churches, any dignities, canonries, prebends, or portions, to be absent from those churches, above three months in each year—saving, however, the constitutions of those churches which require a longer term of service—otherwise every offender shall, for the first year, be deprived of one half of the fruits which he has made his own by reason even of his prebend and residence. But, if he be again guilty of the same negligence, he shall be deprived of all the fruits which he may have acquired during that same year: and, the contumacy increasing, they shall be proceeded against according to the con-

stitutions of the sacred canons. As regards the distributions ; those who have been present at the stated hours shall receive them ; all others shall, all collusion and remission set aside, forfeit them, pursuant to the decree of Boniface VIII., which begins, *Consuetudinem*, which the holy Synod brings again into use ; any statutes, or customs, whatsoever, to the contrary notwithstanding. And all shall be obliged to perform the divine offices in person, and not by substitutes ; as also to attend on and serve the bishop when celebrating (mass), or performing any other pontifical functions ; and reverently, distinctly, and devoutly to praise the name of God, in hymns and canticles, in the choir appointed for psalmody.

They shall, moreover, at all times wear a becoming dress, both in and out of church ; shall abstain from unlawful hunting, hawking, dancing, taverns, and games ; and be distinguished for such integrity of manners, as that they may with justice be called the senate of the Church. As to other matters, regarding the suitable manner of conducting the divine offices, the proper way of singing or chanting therein, the specific regulations for assembling in choir and for remaining there, as also such things as may be necessary in regard of all those who minister in the church, and any other things of the like kind ; the provincial Synod shall prescribe a fixed form on each Head, having regard to the utility and habits of each province. But, in the mean time, the bishop, assisted by not less than two canons, one of whom shall be chosen by the bishop, and the other by the Chapter, shall have power to provide herein as may be judged expedient.

CHAPTER XIII.

In what manner provision is to be made for the more slightly endowed Cathedral and Parish Churches : Parishes are to be distinguished by certain boundaries.

Forasmuch as very many cathedral churches have so slight a revenue, and are so small, that they by no means correspond with the episcopal dignity, nor suffice for the necessities of the churches ; the provincial Council, having summoned those whose

interests are concerned, shall examine and weigh with care, what churches it may be expedient, on account of their small extent, and their poverty, to unite to others in the neighbourhood, or to augment with fresh revenues; and shall send the documents prepared in regard thereof to the Sovereign Roman Pontiff; who, being thereby made acquainted with the matter, shall, of his own prudence, as he may judge expedient, either unite together the slightly provided churches, or improve them by some augmentation derived from the fruits. But in the meantime, until the things aforesaid are carried into effect, the Sovereign Pontiff may provide, out of certain benefices, for those bishops who, on account of the poverty of their dioceses, stand in need of being aided by certain fruits; provided however those benefices be not cures, nor dignities, canonries, prebends, nor monasteries wherein regular observance is in force, or which are subject to general Chapters, or to certain visitors.

In parish churches also, the fruits of which are in like manner so slight that they are not sufficient to meet the necessary charges, the bishop,—if unable to provide for the exigency by a union of benefices, not however those belonging to Regulars,—shall make it his care, that, by the assignment of first fruits, or tithes, or by the contributions and collections of the parishioners, or in some other way that shall seem to him more suitable, as much be amassed as may decently suffice for the necessities of the rector and of the parish.

But in whatsoever unions may have to be made, whether for the causes aforesaid, or for others, parish churches shall not be united to any monasteries whatever, or abbeys, or dignities, or prebends of a cathedral or collegiate church, or to any other simple benefices, hospitals, or military orders; and those so united shall be again taken cognizance of by the Ordinaries, pursuant to the decree already made in this same Synod, under Paul III., of happy memory, which shall also be equally observed in regard of those unions that have been made from that time forth to the present; notwithstanding whatsoever form of words may have been used therein, which shall be accounted as being sufficiently expressed here.

Furthermore, all those cathedral churches, the revenue of which,

in real annual value, does not exceed the sum of one thousand ducats, and those parish churches where it does not exceed the sum of one hundred ducats, shall not for the future be burthened with any manner of pensions, or reservations of fruits. Also, in those cities and places where the parish churches have not any certain boundaries, neither have the rectors thereof their own proper people to govern, but administer the sacraments to all indiscriminately who desire them, the holy Synod enjoins on bishops, that for the greater security of the salvation of the souls committed to their charge, having divided the people into fixed and proper parishes, they shall assign to each parish its own perpetual and peculiar parish priest who may know his own parishioners, and from whom alone they may licitly receive the sacraments; or the bishops shall make such other provision as may be more beneficial, according as the character of the place may require. They shall also take care, that the same be done, as soon as possible, in those cities and places where there are no parish churches: any privileges and customs, even though immemorial, to the contrary notwithstanding.

CHAPTER XIV.

In promotions to benefices, or in admissions into possession of the same, any deductions from the fruits, not applied to pious uses, are prohibited.

In many churches, as well cathedral as collegiate and parochial, it is understood to be the practice, derived either from the constitutions thereof, or from an evil custom, that upon any election, presentation, institution, confirmation, collation, or other provision, or upon admission to the possession of any cathedral church, benefice, canonries, or prebends, or to a participation in the revenues, or the daily distributions, there are introduced certain conditions, or deductions from the fruits, certain payments, promises, unlawful compensations, as also the profits which are in some churches called *Turnorum lucra*; (*) and

(*) Perquisites arising from presentations attached to the "Turnus," or office of Hebdomadarius (Turnarius).

whereas the holy Synod detests these practices, It enjoins on bishops, that they suffer not anything of the kind to be done, unless the proceeds be converted to pious uses, nor permit any of those modes of entering (on benefices) which carry with them a suspicion of a simoniacal taint, or of sordid avarice; and they shall themselves carefully take cognizance of their constitutions, or customs in the above regards; and, those only being retained which they shall approve of as laudable, the rest they shall reject and abolish as corrupt and scandalous. And It decrees that those, who act in any way contrary to the things comprised in this present decree, incur the penalties set forth against simoniacs by the sacred canons, and divers constitutions of the Sovereign Pontiffs, all of which this Synod renews; any statutes, constitutions, customs, even though immemorial, even though confirmed by apostolic authority, to the contrary notwithstanding; the bishop, as the delegate of the Apostolic See, having power to take cognizance of any surreption, obreption, or defect of intention, in regard thereof.

CHAPTER XV.

Method of increasing the slight prebends of Cathedral, and of eminent Collegiate Churches.

In cathedral, and eminent collegiate, churches, where the prebends are numerous, and so small, that, even with the daily distributions, they are not sufficient for the decent maintenance of the rank of the canons, according to the character of the place, and of the persons, it shall be lawful for the bishop, with the consent of the Chapter, either to unite thereunto certain simple benefices, not however such as belong to Regulars, or, if a provision cannot be made in this way, they may reduce those prebends to a less number, by suppressing some of them, —with the consent of the patron, if the right of patronage belong to laymen,—the fruits and proceeds of which shall be applied towards the daily distributions of the remaining prebends; yet so, however, that such a number shall be left as may conveniently serve for the celebration of divine worship,

and be suitable to the dignity of the church ; any constitutions and privileges whatsoever, or any reservation whether general or special, or any application whatever, to the contrary notwithstanding : nor shall the aforesaid unions or suppressions be set aside or hindered by any manner of provision whatsoever, not even by virtue of any resignation, or by any other derogations, or suspensions whatever.

CHAPTER XVI.

What duty devolves on the Chapter during the vacancy of a See.

When a See is vacant, the Chapter, in those places where the duty of receiving the fruits devolves upon it, shall appoint one or more faithful and diligent stewards to take care of the property and revenues of the church, of which they shall afterwards give an account to him whom it may regard. It shall also be absolutely bound, within eight days after the decease of the bishop, to appoint an official,^(v) or vicar, or to confirm the one who fills that office ; who shall at least be a doctor, or a licentiate, of canon law, or otherwise as competent a person as can be procured : if anything be done contrary hereto, the appointment aforesaid shall devolve on the metropolitan. And if the church be itself the metropolitan, or exempted, and the Chapter shall be, as has been said above, negligent, then shall the oldest of the suffragan bishops in that metropolitan church, and the nearest bishop in regard of that church that is exempted, have power to appoint a competent steward and vicar. And the bishop, who is promoted to the said vacant church, shall demand, from the said steward, vicar, and all other officers and administrators, who, during the vacancy of the See, were, by the Chapter, or others, appointed in his room,—even though they should belong to the Chapter itself,—an account of those things which concern him, of their functions, jurisdiction, administration, or of any other their charge whatsoever ; and shall have

(v) Officialem.

power to punish those who have been guilty of any delinquency in their office or administration, even though the officers aforesaid, having given in their accounts, may have obtained a quit-tance or discharge from the Chapter, or those deputed thereby. The Chapter shall also be bound to render an account to the said bishop of any papers belonging to the church, if any such have come into the possession thereof.

CHAPTER XVII.

In what case it is lawful to confer more than one benefice upon one individual ; and for him to retain the same.

Whereas ecclesiastical order is perverted when one cleric fills the offices of several, the sacred canons have holily provided that no one ought to be enrolled in two churches. But, seeing that many, through the passion of ungodly covetousness deceiving themselves, not God, are not ashamed to elude, by various artifices, what has been so excellently ordained, and to hold several benefices at the same time ; the holy Synod, desiring to restore the discipline required for the government of the church, doth by this present decree,—which It orders to be observed in regard of all persons whatsoever, by whatsoever title distinguished, even though it be by the dignity of the Cardinalate,—ordain, that, for the future, one ecclesiastical benefice only shall be conferred on one and the same person. If indeed that benefice be not sufficient to afford a decent livelihood to the person on whom it is conferred, it shall then be lawful to bestow on him some other simple benefice that may be sufficient ; provided that both do not require personal residence. And the above shall apply not only to cathedral churches, but also to all other benefices whatsoever, whether Secular or Regular, even to those held in *commendam*, of whatsoever title and quality they may be. But they who at present hold several parochial churches, or one cathedral and one parochial church, shall be absolutely obliged,—all dispensations and unions for life whatsoever to the contrary notwithstanding,—retaining one parochial church only, or the cathedral church alone, to resign the other parochial

churches within the space of six months ; otherwise as well the parish churches, as also all the benefices which they hold, shall be accounted *ipso jure* void, and as void shall be freely conferred on other competent persons ; nor shall they who previously held them be able to retain the fruits thereof, with a safe conscience, after the said time. But the holy Synod desires that a provision be made in some suitable manner, as may seem fit to the Sovereign Pontiff, for the necessities of those who resign.

CHAPTER XVIII.

Upon a Parish Church becoming vacant, a Vicar is to be deputed thereunto by the Bishop, until it be provided with a Parish Priest : in what manner and by whom those nominated to Parochial Churches ought to be examined.

It is most highly expedient for the salvation of souls, that they be governed by worthy and competent parish priests. To the end that this may with greater care and effect be accomplished, the holy Synod ordains, that when a vacancy occurs in a parish church, whether by death, or by resignation, even in the Roman Court, or in any other manner whatsoever, though it may be alleged that the charge thereof devolves on the church (itself), or on the bishop, and though it may be served by one or more priests,—and this not excepting even those churches called patrimonial, or receptive,^(*) wherein the bishop has been accustomed to assign the cure of souls to one or more (priests), all of whom, as this Synod ordains, must be subjected to the examination herein prescribed later,—even though, moreover, the said parish church may be reserved, or appropriated, whether generally or specially, by virtue even of an indult, or privilege granted in favour of cardinals of the holy Roman Church, or of certain abbots, or chapters ; it shall be the duty of the bishop, at once, upon obtaining information of the vacancy of the church,

(*) Receptivis.

to appoint, if need be, a competent vicar to the same—with a suitable assignment, at his own discretion, of a portion of the fruits thereof—to support the duties of the said church, until it shall be provided with a rector. Moreover, the bishop, and he who has the right of patronage, shall, within ten days, or such other term as the bishop shall prescribe, nominate, in the presence of those who shall be deputed as examiners, certain clerics as capable of governing the said church. It shall nevertheless be free for others also, who may know any that are fit for the office, to give in their names, that a diligent scrutiny may be afterwards made as to the age, morals, and sufficiency of each. And even,—if the bishop, or the provincial Synod shall, considering the custom of the country, judge this more expedient,—those who may wish to be examined may be summoned by a public notice. When the time appointed has transpired, all those whose names have been entered shall be examined by the bishop, or, if he be hindered, by his Vicar-general, and by the other examiners, who shall not be fewer than three; to whose votes, if they should be equal, or given to distinct individuals, the bishop, or his vicar, may add theirs, in favour of whomsoever they shall think most fit.

And as regards the examiners, six at least shall be annually proposed by the bishop, or by his vicar, in the diocesan Synod; who shall be such as shall satisfy, and shall be approved of by, the said Synod. And upon any vacancy occurring in any church, the bishop shall select three out of that number to make the examination with him; and afterwards, upon another vacancy following, he shall select, out of the six aforesaid, the same, or three others, whom he may prefer. But the said examiners shall be masters, or doctors, or licentiates in theology, or in canon law, or such other clerics, whether Regulars,—even of the order of mendicants,—or Seculars, as shall seem best adapted thereunto; and they shall all swear on the holy Gospels of God, that they will, setting aside every human affection, faithfully perform their duty. And they shall beware of receiving anything whatever, either before or after, on account of this examination; otherwise, both the receivers and the givers will incur the guilt of simony, from which they shall not be capable of

being absolved, until after they have resigned the benefices which they were possessed of in any manner whatsoever, even before this act; and they shall be rendered incapable of any others for the time to come. And in regard of all these matters, they shall be bound to render an account, not only to God, but also, if need be, to the provincial Synod, which shall have power to punish them severely, at Its discretion, if it be ascertained that they have done anything contrary to their duty.

Then, after the examination is completed, a report shall be made of all those who shall have been judged, by the said examiners, fit by age, morals, learning, prudence, and other suitable qualifications, to govern the vacant church; and out of these the bishop shall select him whom he shall judge the most fit of all; and to him, and to none other, shall the church be collated by him unto whom it belongs to collate thereunto. But, if the church be under ecclesiastical patronage, and the institution thereunto belongs to the bishop, and to none else, whomsoever the patron shall judge the most worthy from amongst those who have been approved of by the examiners, him he shall be bound to present to the bishop, that he may receive institution from him: but when the institution is to proceed from any other than the bishop, then the bishop alone shall select the worthiest from amongst the worthy, and him the patron shall present to him unto whom the institution belongs.

But if it be under lay patronage, the individual who shall be presented by the patron, must be examined, as above, by those deputed thereunto, and not be admitted, unless he be found fit. And, in all the above-mentioned cases, to none other but to one of those who have been examined as aforesaid, and have been approved of by the examiners, according to the rule prescribed above, shall the church be committed, nor shall any devolution, or appeal, interposed even before the Apostolic See, or the legates, vice-legates, or nuncios of that see, or before any bishops, or metropolitans, primates, or patriarchs, hinder or suspend the report of the aforesaid examiners from being carried into execution: for the rest, the vicar whom the bishop has, at his own discretion, already deputed for the time being to the vacant church, or whom he may afterwards happen to depute

thereunto, shall not be removed from the charge and administration of the said church, until it be provided for, either by the appointment of the vicar himself, or of some other person, who has been approved of and elected as above: and all provisions and institutions made otherwise than according to the above-named form, shall be accounted surreptitious: any exemptions, indults, privileges, preventions, appropriations, new provisions, indults granted to any university whatsoever, even for a certain sum, and any other impediments whatsoever, in opposition to this decree, notwithstanding.

If, however, the said parish churches should possess so slight a revenue, as not to allow of the trouble of all this examination; or should no one seek to undergo this examination; or if, by reason of the open factions, or dissensions, which are met with in some places, more grievous quarrels and tumults may easily be excited thereby; the Ordinary may, omitting this formality, have recourse to a private examination, if, in his conscience, with the advice of the (examiners) deputed, he shall judge this expedient; observing however the other things as prescribed above. It shall also be lawful for the provincial Synod, if it shall judge that there are any particulars which ought to be added to, or retrenched from, the above regulations concerning the form of examination, to provide accordingly.

CHAPTER XIX.

Mandates 'de providendo,' Expectatives, and other things of the like kind are abrogated.

The holy Synod ordains, that mandates for contingent promotions,^(a) and those graces which are called expectant,^(b) shall not any more be granted to any one, not even to colleges, universities, senates, or to any individuals whatsoever, even

(a) *Mandata de providendo*: papal mandates to bishops, enjoining them to promote a given individual to a certain vacant benefice.

(b) *Expectativæ*: directions to promote a given individual to the first vacant benefice.

though under the name of an indult, or up to a certain sum, or under any other colourable title; nor shall it be lawful for any one to make use of such as have been heretofore granted. So, neither shall any mental reservations,^(c) nor any other graces whatsoever in regard of future vacancies in benefices, nor indults which apply to churches belonging to others, or to monasteries, be granted to any, not even cardinals of the holy Roman Church; and those hitherto granted shall be looked upon as abrogated.

CHAPTER XX.

The manner of conducting causes, appertaining to the Ecclesiastical court, is prescribed.

All causes belonging in any way whatever to the ecclesiastical court, even though they may relate to benefices, shall be taken cognizance of, in the first instance, before the Ordinaries of the places only; and shall be completely terminated within two years at the latest from the time that the suit was instituted: otherwise, at the expiration of that period, it shall be free for the parties, or for either of them, to have recourse to superior, but otherwise competent, judges, who shall take up the cause as it shall then stand, and shall take care that it be terminated with all possible despatch; nor, before that period, shall the causes be committed to any others (than the Ordinaries), nor be transferred therefrom; nor shall any appeals interposed by those parties be received by any superior judges whatsoever; nor shall any commission, or inhibition be issued by them, except upon a definitive sentence, or one that has the force thereof, and the grievance arising from which cannot be redressed by an appeal from that definitive sentence. From the above are to be excepted those causes, which, pursuant to the appointments of the canons, are to be tried before the Apostolic See, or those which the Sovereign Roman Pontiff shall, for an urgent and

(c) *Reservationes mentales*: when no individual was named in the order for promotion to the first vacant benefice, the commissions were called *mental reservations*.

reasonable cause, judge fit to appoint, or to avocate, for his own hearing, by a special rescript under the signature of his Holiness signed with his own hand.

Furthermore, matrimonial and criminal causes shall not be left to the judgment of deans, archdeacons, and other inferiors, even when on their course of visitation, but shall be reserved for the examination and jurisdiction of the bishop only; even though there should be, at this present moment, a suit pending, in whatsoever stage of the proceedings it may be, between any bishop, and the dean, or archdeacon, touching the cognizance of this class of causes: and if, in any said matrimonial cause, one of the parties shall truly prove his poverty in the presence of the bishop, he shall not be compelled to plead out of the province, either in the second or third stage of the suit,^(d) unless the other party will provide for his maintenance, and also bear the expenses of the suit.

Legates also, even though *de latere*, nuncios, ecclesiastical governors, or others, shall not only not presume, by virtue of any powers whatsoever, to impede bishops in the causes aforesaid, or in any wise to take from them,^(e) or to disturb their jurisdiction, but they shall not even proceed against clerics, or other ecclesiastical persons, until the bishop has been first applied to, and has shown himself negligent; otherwise their proceedings and ordinances shall be of no force, and they shall be bound to make satisfaction to the parties for the damages which they may have sustained.

Furthermore, should any individual appeal in those cases allowed of by law, or lodge a complaint touching any grievance, or have recourse, as aforesaid, to a judge, on account of two years having elapsed, he shall be bound to transfer, at his own expense, to the judge of appeal, all the acts of the proceedings that have taken place before the bishop, having given, however, notice thereof previously to the said bishop; that so, if it seem fit to him to communicate any information on the suit, he may acquaint the judge of appeal therewith. But if the appellee

(d) Nec in secunda, nec in tertia instantia.

(e) Præripere, to forestall.

shall appear, then shall he also be bound to bear his proportion of the costs of transferring those acts, provided that he wishes to make use thereof; unless it be the custom of the place to act otherwise, to wit, that the entire costs have to be borne by the appellant.

Moreover, the notary shall be bound to furnish the appellant, upon payment of the suitable fee, with a copy of the proceedings as soon as may be, and within a month at the furthest. And should that notary be guilty of any fraud in delaying the giving such copy, he shall be suspended from the exercise of his office, at the discretion of the Ordinary, and be condemned to pay double the costs of the suit, which shall be divided between the appellant and the poor of the place. But if the judge also should himself be cognizant of, and an accomplice in, this delay, or if he shall in any other way raise obstacles against the entire proceedings being delivered over to the appellant within the term aforesaid, he shall be subjected to the same penalty of paying double the costs, as above; notwithstanding, as regards all the aforesaid matters, any privileges, indults, covenants, which only bind the authors thereof, and any other customs whatsoever to the contrary.

CHAPTER XXI.

It is declared, that, by certain words used previously, the usual manner of treating business in General Councils is not changed.

The holy Synod,—being desirous that no occasion of doubting may, at any future period, arise out of the decrees which It has published,—in explanation of the words contained in a decree published in the first Session under our most blessed lord, Pius IV., to wit, “which, the legates and presidents proposing, shall to the said holy Synod appear suitable and proper for assuaging the calamities of these times, terminating the controversies concerning religion, restraining deceitful tongues, correcting the abuses of depraved manners, and procuring for the church a true and Christian peace,” declares that it was not Its

intention, that, by the foregoing words, the usual manner of treating matters in general Councils should be in any respect changed; or that anything new, besides that which has been heretofore established by the sacred canons, or by the form of general Councils, should be added to, or taken from, any one.

INDICTION OF THE NEXT SESSION.

Moreover, the same sacred and holy Synod ordains and decrees, that the next ensuing Session be held on the Thursday after the Conception of the Blessed Virgin Mary, which will be the ninth day of December next, with the power also of abridging that term. In which Session there will be treated of the the sixth chapter^(f) which is now deferred till then, and the remaining chapters on Reformation which have been already set forth, and other matters which relate thereunto. And if it shall seem advisable, and the time will allow thereof, certain dogmas may also be treated of, as in their proper season they shall be proposed in the congregations.

The term fixed for the Session was abridged.

SESSION THE TWENTY-FIFTH.

Begun on the third, and terminated on the fourth, day of December, MDLXIII., being the ninth and last under the Sovereign Pontiff, Pius IV.

DECREE CONCERNING PURGATORY.

Whereas the Catholic Church, instructed by the Holy Ghost, has, from the sacred writings and the ancient tradition of the Fathers, taught, in sacred councils, and very recently^(g) in this œcumenical Synod, that there is a Purgatory, and that the souls there detained are helped^(h) by the suffrages of the faithful,

(f) On Exemptions of Chapters.

(g) See Sess. VI., can. 30; Sess. XXII. cap. 2, 3.

(h) Juvari, relieved.

but principally by the acceptable sacrifice of the altar; the holy Synod enjoins on bishops that they diligently endeavour that the sound doctrine concerning Purgatory, transmitted by the holy Fathers and sacred councils, be believed, maintained, taught, and every where proclaimed by the faithful of Christ. But let the more difficult and subtle questions, and which tend not to edification, and from which for the most part there is no increase of piety, be excluded from popular discourses before the uneducated ⁽ⁱ⁾ multitude. In like manner, such things as are uncertain, or which labour under an appearance of error, ^(k) let them not allow to be made public and treated of. • While those things which tend to a certain kind of curiosity or superstition, or which savour of filthy lucre, let them prohibit as scandals and stumbling-blocks of the faithful. But let the bishops take care, that the suffrages of the faithful who are living, to wit the sacrifices of masses, prayers, alms, and other works of piety, which have been wont to be performed by the faithful for the other faithful departed, be piously and devoutly performed, in accordance with the institutes of the church; and that whatsoever is due on their behalf, from the endowments of testators, or in other way, be discharged, not in a perfunctory manner, but diligently and accurately, by the priests and ministers of the church, and others who are bound to render this (service).

ON THE INVOCATION, VENERATION, AND RELICS, OF SAINTS,
AND ON SACRED IMAGES.

The holy Synod enjoins on all bishops, and others who sustain the office and charge of teaching, that, agreeably to the usage of the Catholic and Apostolic Church, received from the primitive times of the Christian religion, and agreeably to the consent of the holy Fathers, and to the decrees of sacred Councils, they especially instruct the faithful diligently concerning the intercession and invocation of saints; the honour (paid) to

(i) Rudem.

(k) Specie falsi laborant.

relics; and the legitimate use of images: teaching them, that the saints, who reign together with Christ, offer up their own prayers to God for men; that it is good and useful suppliantly to invoke them, and to have recourse to their prayers, aid, (and) help ⁽¹⁾ for obtaining benefits from God, through His Son, Jesus Christ our Lord, who is our alone Redeemer and Saviour; but that they think impiously, who deny that the saints, who enjoy eternal happiness in heaven, are to be invocated; or who assert either that they do not pray for men; or, that the invocation of them to pray for each of us even in particular, is idolatry; or, that it is repugnant to the word of God; and is opposed to the honour of the *one mediator of God and men, Christ Jesus*; ^(m) or, that it is foolish to supplicate, vocally, or mentally, ⁽ⁿ⁾ those who reign in heaven. Also, that the holy bodies of holy martyrs, and of others now living with Christ,—which bodies were the living members of Christ, and *the temple of the Holy Ghost*, ^(o) and which are by Him to be raised unto eternal life, and to be glorified,—are to be venerated by the faithful; through which (bodies) many benefits are bestowed by God on men; so that they who affirm that veneration and honour are not due to the relics of saints; or, that these, and other sacred monuments, are uselessly honoured by the faithful; and that the places dedicated to the memories of the saints are in vain visited with the view of obtaining their aid; are wholly to be condemned, as the Church has already long since condemned, and now also condemns them.

Moreover, that the images of Christ, of the Virgin Mother of God, and of the other saints, are to be had ^(p) and retained particularly in temples, and that due honour and veneration are to be given them; not that any divinity, or virtue, is believed to be in them, on account of which they are to be worshipped; ^(q) or that anything is to be asked of them; or, that trust is to be reposed in images, as was of old done by the Gentiles who placed

(1) Ad eorum orationes, opem, auxilium confugere.

(m) 1 Tim. ii. 5.

(n) Voce, vel mente.

(o) 1 Cor. iii. 6.

(p) Habendas.

(q) Colendæ.

their hope in idols; but because the honour which is shown them is referred to the prototypes which those images represent; in such wise that by^(r) the images which we kiss, and before which we uncover the head, and prostrate ourselves, we adore Christ; and we venerate the saints, whose similitude they bear: as, by the decrees of Councils, and especially of the second Synod of Nicæa, has been defined against the opponents of images.

And the bishops shall carefully teach this,—that, by means of the histories of the mysteries of our Redemption, portrayed by paintings or other representations, the people is instructed, and confirmed in (the habit of) remembering, and continually revolving in mind the articles of faith; as also that great profit is derived from all sacred images, not only because the people are thereby admonished of the benefits and gifts bestowed upon them by Christ, but also because the miracles which God has performed by means of the saints, and their salutary examples, are set before the eyes of the faithful; that so they may give God thanks for those things; may order their own lives and manners in imitation of the saints; and may be excited to adore and love God, and to cultivate piety. But if any one shall teach, or entertain sentiments, contrary to these decrees; let him be anathema.

And if any abuses have crept in amongst these holy and salutary observances, the holy Synod ardently desires that they be utterly abolished; in such wise that no images, (suggestive) of false doctrine, and furnishing occasion of dangerous error to the uneducated, be set up. And if at times, when expedient for the unlettered people;^(s) it happen that the facts and narratives of sacred Scripture are portrayed and represented; the people shall be taught, that not thereby is the Divinity represented, as though it could be seen by the eyes of the body, or be portrayed by colours or figures.

Moreover, in the invocation of saints, the veneration of relics, and the sacred use of images, every superstition shall be removed, all filthy lucre be abolished; finally, all lasciviousness be

(r) Per.

(s) Indoitæ plebi, an unlearned multitude.

avoided; in such wise that figures shall not be painted or adorned with a beauty exciting to lust; nor the celebration of the saints, and the visitation of relics be by any perverted into revellings and drunkenness; as if festivals are celebrated to the honour of the saints by luxury and wantonness.

In fine, let so great care and diligence be used herein by bishops, as that there be nothing seen that is disorderly, or that is unbecomingly or confusedly arranged, nothing that is profane, nothing indecorous, seeing that *holiness becometh the house of God.*⁽¹⁾

And that these things may be the more faithfully observed, the holy Synod ordains, that no one be allowed to place, or cause to be placed, any unusual image, in any place, or church, howsoever exempted, except that image have been approved of by the bishop: also, that no new miracles are to be acknowledged, or new relics recognised, unless the said bishop has taken cognizance and approved thereof; who, as soon as he has obtained some certain information in regard of these matters, shall, after having taken the advice of theologians, and of other pious men, act therein as he shall judge to be consonant with truth and piety. But if any doubtful, or difficult abuse has to be extirpated; or, in fine, if any more grave question shall arise touching these matters, the bishop, before deciding the controversy, shall await the sentence of the metropolitan and of the bishops of the province, in a provincial Council; yet so, that nothing new, or that previously has not been usual in the Church, shall be resolved on, without having first consulted the most holy Roman Pontiff.

ON REGULARS AND NUNS.

The same sacred and holy Synod, prosecuting the subject of reformation, has thought fit that the things following be ordained.

⁽¹⁾ Ps. xcii. 5.

CHAPTER I.

All Regulars shall order their lives in accordance with what is prescribed by the rule which they have professed ; Superiors shall sedulously provide that this be done.

Forasmuch as the holy Synod is not ignorant how much splendour and utility accrue to the Church of God, from monasteries piously instituted and rightly administered ; It has,—to the end that the ancient and regular discipline may be the more easily and promptly restored, where it has fallen away, and may be the more firmly maintained, where it has been preserved,—thought it necessary to enjoin, as by this decree It doth injoin, that all Regulars, as well men, as women, shall order and regulate their lives in accordance with the requirements of the rule which they have professed ; and above all that they shall faithfully observe whatsoever belongs to the perfection of their profession, such as the vows of obedience, poverty, and chastity, as also all other vows and precepts that may be peculiar to any rule or order, respectively appertaining to the essential character of each, and which regard the observance of a common^(v) mode of living, food, and dress. And all care and diligence shall be used by the Superiors, both in the general and in the provincial Chapters, and in their visitations, which they shall not omit to make in their proper seasons, that these things be not departed from ; it being certain, that those things which belong to the substance of a regular life cannot be by them relaxed. For if those things which are the basis and the foundation of all regular discipline be not strictly preserved, the whole edifice must needs fall.

CHAPTER II.

Property is wholly prohibited to Regulars.

For no Regular, therefore, whether man, or woman, shall it be lawful to possess, or hold as his own, or even in the name of

(v) Communem vitam, living in common.

the convent, any property moveable or immoveable, of what nature soever it may be, or in what way soever acquired; but the same shall be immediately delivered up to the Superior, and be incorporated with the convent. Nor shall it henceforth be lawful for Superiors to allow any real property^(*) to any Regular, not even by way of having the interest,^(x) or the use, the administration thereof, or *in commendam*. But the administration of the property of monasteries, or of convents, shall belong to the officers thereof only, removable at the will of their Superiors.

The Superiors shall allow the use of moveables, in such manner as that the furniture of their body shall be suitable to the state of poverty which they have professed; and there shall be nothing therein superfluous, but at the same time nothing shall be refused which is necessary for them. But should any one be discovered, or be proved, to possess anything in any other manner, he shall be deprived during two years of his active and passive voice, and also be punished in accordance with the constitutions of his own rule and order.

CHAPTER III.

All Monasteries save those herein excepted, shall be able to possess real property: the number of persons therein to be determined by the amount of Income, or of Alms. No Monasteries, to be erected without the Bishop's leave.

The holy Synod permits that henceforth real property^(y) may be possessed by all monasteries and houses, both of men and women, and of mendicants, even by those who were forbidden by their constitutions to possess it, or who had not received permission to that effect by apostolic privilege,—with the exception, however, of the houses of the brethren of St. Francis (called) Capuchins, and those called Minor Observants: and if any of the aforesaid places, to which it has been granted by apostolic

(*) Bona stabilia.

(x) Usumfructum.

(y) Bona immobilia.

authority to possess such property, have been stripped thereof, It ordains that the same shall be wholly restored unto them. But, in the aforesaid monasteries and houses, as well of men as of women, whether they possess, or do not possess, real property, such a number of inmates only shall be fixed upon and be for the future retained, as can be conveniently supported, either out of the proper revenues of those monasteries, or out of the customary alms ; nor shall any such places be henceforth erected, without the permission of the bishop, in whose diocese they are to be erected, being first obtained.

CHAPTER IV.

A Regular shall not, without the permission of his Superior, either place himself at the service of another, or retire from his Monastery : when sent to a University for study he shall reside in a Monastery.

The holy Synod forbids, that any Regular, under the pretext of preaching, or lecturing, or of any other pious work, place himself at the service of any prelate, prince, university, community, or of any other person, or place, whatsoever, without permission from his own Superior ; nor shall any privilege or faculty, obtained from others in regard hereof avail him anything. But should any one act contrary hereto, he shall be punished as disobedient, at the discretion of his Superior. Nor shall it be lawful for Regulars to withdraw from their own convents, even under the pretext of repairing to their own Superiors ; unless they have been sent, or summoned, by them. And whoever shall be found to be without the order aforesaid in writing, shall be punished as a deserter from his Institute by the Ordinaries of the places. As to those who are sent to the universities for the sake of their studies, they shall dwell in convents only ; otherwise they shall be proceeded against by the Ordinaries.

CHAPTER V.

Provision is made for the enclosure and safety of Nuns.

The holy Synod, renewing the constitution of Boniface VIII., which begins *Periculoso*, enjoins on all bishops, by the judgment of God to which It appeals, and under pain of eternal malediction, that, by their ordinary authority, in all monasteries subject to them, and in others, by the authority of the Apostolic See, they make it their especial care, that the enclosure of nuns be carefully restored, wheresoever it has been violated, and that it be preserved, wheresoever it has not been violated; repressing, by ecclesiastical censures and other penalties, without regarding any appeal whatsoever, the disobedient and gainsayers, and calling in for this end, if need be, the aid of the Secular arm. The holy Synod exhorts Christian princes to furnish this aid, and enjoins, under pain of excommunication, to be *ipso facto* incurred, that it be rendered by all civil magistrates. But for no nun, after her profession, shall it be lawful to go out of her convent, even for a brief period, under any pretext whatever, except for some lawful cause, which is to be approved of by the bishop; any indults and privileges whatsoever notwithstanding.

And it shall not be lawful for any one, of whatsoever birth, or condition, sex, or age, to enter within the enclosure of a nunnery, without the permission of the bishop, or of the Superior, obtained in writing, under the pain of excommunication to be *ipso facto* incurred. But the bishop, or the Superior ought to grant this permission in necessary cases only; nor shall any other person be able by any means to grant it, even by virtue of any faculty, or indult, already granted, or that may hereafter be granted. And forasmuch as those convents of nuns which are established outside the walls of a city or town, are exposed, often without any protection, to the robberies and other crimes of wicked men, the bishops and other Superiors shall, if they think it expedient, make it their care that the nuns be removed from those places to new or old convents within cities or popu-

lous towns, calling in even, if need be, the aid of the Secular arm. As to those who hinder them or disobey, they shall by ecclesiastical censures compel them to submit.

CHAPTER VI.

Manner of choosing Regular Superiors.

In order that everything may be conducted uprightly and without fraud, in the election of all manner of superiors, temporary abbots, and other officers, and generals, and abbesses, and other superioresses, the holy Synod above all things strictly enjoins, that all the aforesaid ought to^(*) be chosen by secret voting, in such wise as that the names of the respective voters shall never be made known. Neither shall it, for the future, be lawful to appoint provincials, abbots, priors, or any other titularies whatsoever, for the purposes of an election that is to take place; nor to supply the place of the voices and suffrages of those who are absent. But should any one be elected contrary to the appointment of this decree, such election shall be invalid; and he who shall have allowed himself, for this object, to be created provincial, abbot, or prior, shall be from that time forth incapable of holding any offices whatsoever in that order; and any faculties that have been granted in this matter shall be looked upon as hereby abrogated; and should any others be granted for the time to come, they shall be regarded as surreptitious.

CHAPTER VII.

In what way, and what manner of, persons are to be chosen as Abbesses, or Superioresses by whatsoever other name; no one shall be appointed over two Nunneries.

No one shall be elected as abbess, or prioress,—or by whatsoever other name she who is appointed and placed over the

(*) Debere, must needs be.

rest, may be called,—who is less than forty years of age, and who has not passed eight of those years in a praiseworthy manner, after having made her profession. But should no one be found in the same convent with these qualifications, one may be elected out of another convent of the same order. But if the superior who presides over the election shall deem even this an inconvenience; with the consent of the bishop, or other superior, there may be one chosen from amongst those, in the same convent, who are beyond their thirtieth year, and who have, since their profession, passed at least five of those years in an upright manner. But no individual shall be set over two convents; and if any one is, in any way, in possession of two or more, she shall, retaining one, be compelled to resign the rest, within six months: but after that period, if she have not resigned, they shall be all *ipso jure* vacant. And he who presides at the election, whether it be the bishop, or other superior, shall not enter the enclosure of the monastery, but shall listen to, or receive the votes of each, at the little window in the gates.^(a) In other particulars, the constitution of each order, or convent, shall be observed.

CHAPTER VIII.

In what manner the regulation of Monasteries, which have not ordinary Regular visitors, is to be proceeded with.

All monasteries which are not subject to general Chapters, or to bishops, and which have not their own ordinary Regular visitors, but have been accustomed to be governed under the immediate protection and direction of the Apostolic See, shall be bound, within a year from the end of the present Council, and thenceforth every third year, to form themselves into congregations, according to the form of the constitution of Innocent III., beginning *In singulis*, published in a general Council;

(a) Ante cancellorum fenestellam.

and shall there depute certain Regulars to deliberate and ordain as to the mode and order of establishing the congregations aforesaid, and touching the statutes to be therein observed. But should they be negligent in these matters, it shall be lawful for the metropolitan, in whose province the aforesaid monasteries are situated, to convoke them for the above named purposes, as the delegate of the Apostolic See. But if there be not a sufficient number of monasteries, within the limits of one province, for the establishing of such congregation, the monasteries of two or three provinces may form one congregation. And when the said congregations have been established, the general Chapters thereof, and the presidents and visitors elected thereby, shall have the same authority over the monasteries of their own congregation, and over the Regulars dwelling therein, as other presidents and visitors have in other orders; and they shall be bound to visit frequently the monasteries of their own congregation, and to apply themselves to the reformation thereof; and to observe whatsoever things have been decreed in the sacred canons, and in this sacred Council. Also, if, at the instance of the metropolitan, they shall not take measures to execute the above, they shall be subjected to the bishops, in whose dioceses the places aforesaid are situated, as the delegates of the Apostolic See.

CHAPTER IX.

Convents of Nuns immediately subject to the Apostolic See shall be governed by the Bishops; but others, by those deputed in the General Chapters, or by other Regulars.

Those convents of nuns which are immediately subject to the Apostolic See, even those which are called by the name of Chapters of St. Peter, or of St. John, or by whatsoever other name they may be designated, shall be governed by the bishops, as the delegates of the Apostolic See; anything to the contrary notwithstanding. But those which are governed, by persons deputed in general Chapters, or by other Regulars, shall be left under their care and conduct.

CHAPTER X.

Nuns shall confess and communicate once a month : an extraordinary Confessor shall be assigned them by the Bishop. The Eucharist shall not be reserved within the enclosure of the Convent.

Bishops and other Superiors of convents of nuns, shall take particular care that the nuns be admonished, in their constitutions, to confess their sins, and to receive the most holy Eucharist, at least once a month, that so they may fortify themselves, by that salutary safeguard, resolutely to overcome all the assaults of the devil. But besides the ordinary confessor, the bishop and other superiors shall, twice or thrice a year, offer them an extraordinary one, whose duty it shall be^(b) to hear the confessions of all the nuns. But that the most holy body of Christ be kept within the choir, or the enclosure of the convent, and not in the public church, the holy Synod forbids it; any privilege or indult whatsoever notwithstanding.

CHAPTER XI.

In Monasteries, which are charged with the cure of the souls of laymen, they who exercise that cure shall be subject to the Bishop, and be by him previously examined, with certain exceptions.

In monasteries, or houses whether of men, or of women, which are charged with the cure of souls of other Secular persons besides those who belong to the household of those monasteries, or places; the individuals, whether Regulars or Seculars, who exercise that cure, shall be immediately subject, in what-

(b) Debeat.

soever pertains to the said cure and the administration of the sacraments, to the jurisdiction, visitation, and correction of the bishop in whose diocese those places are situated; nor shall any, not even such as are removable at pleasure, be deputed thereunto, save with the consent of the said bishop, and after having been previously examined by him, or by his vicar; the monastery of Cluny with its limits being excepted; and excepting also monasteries, or places, in which abbots, generals, or the heads of orders, have their usual principal residence; as also the other monasteries, or houses, in which the abbots, or other Superiors of Regulars, exercise episcopal and temporary jurisdiction over the parish priests and their parishioners; saving, however, the right of those bishops who exercise a greater jurisdiction over the places, or persons above-named.

CHAPTER XII.

Episcopal censures, and festivals appointed in the diocese, shall be observed even by Regulars.

Censures and interdicts,—not only those emanating from the Apostolic See, but also those promulgated by the Ordinaries,—shall, upon the bishop's mandate, be published and observed by Regulars in their churches. The festival days also which the said bishop shall order to be observed in his own diocese, shall be kept by all exempted persons, even though Regulars.

CHAPTER XIII.

The Bishop shall settle disputes about precedence. Exempted persons, not living in the more strict enclosures, are obliged to attend at public Processions.

All disputes about precedence, which very often, with very great scandal, arise between ecclesiastics, both Secular and Regular, as well at public processions, as at those which take

place in burying the dead, or carrying the canopy, and on other such occasions, the bishop shall settle, without regarding any appeal; anything to the contrary notwithstanding. And all exempted persons whatsoever, as well Secular as Regular clerics, and even monks, on being summoned to public processions, shall be obliged to attend; those only being excepted who always live in more strict enclosure.

CHAPTER XIV.

By whom punishment is to be inflicted on a Regular who sins publicly.

A Regular who, not being subject to the bishop, and residing within the enclosure of a monastery, has out of that enclosure, transgressed so notoriously as to be a scandal to the people, shall, at the instance of the bishop, be severely punished by his own Superior, within such time as the bishop shall appoint; and the Superior shall certify to the bishop that the punishment has been inflicted: otherwise he shall be himself deprived of his office by his own Superior, and the delinquent may be punished by the bishop.

CHAPTER XV.

Profession shall not be made except after a year's probation, and at the age of sixteen years completed.

In no religious order whatever, shall the profession, whether of men or women, be made before the age of sixteen years is completed; nor shall any one be admitted to profession, who has been less than a year under probation from the time of taking the habit. And any profession made sooner than this shall be null; and shall not superinduce any obligation to the observance of any rule, or of any religious body, or order; or entail any other effects whatsoever.

CHAPTER XVI.

Any renunciations made, or obligation entered into, previous to the two months' nearest Profession, shall be null. The probation ended, the Novices shall either be professed, or dismissed. In the Religious Order of Clerks of the Society of Jesus nothing is innovated. No part of the property of a Novice shall be given to a Monastery before Profession.

Further, no renunciation made, or obligation entered into, sooner than this, even though upon oath, or in favour of any pious object whatsoever, shall be valid, unless it be made with permission of the bishop, or of his vicar, within the two months immediately preceding profession; and it shall not otherwise be understood as obtaining effect, unless the profession have followed thereupon: but if made in any other manner, even though with the express renunciation, even upon oath, of this privilege, it shall be invalid and of no effect. When the period of the noviciate is ended, the Superiors shall admit those novices, whom they have found qualified, to profession; or they shall dismiss them from the monastery.

By these things, however, the Synod does not intend to make any innovation, or prohibition,^(c) so as to hinder the Religious Order of Clerks of the Society of Jesus from being able to serve God and His church, in accordance with their pious institute, approved of by the holy Apostolic See.

Also, before the profession of a novice, whether male, or female, nothing shall be given to the monastery out of the property of the same, either by parents, relatives, or guardians, under any pretext whatever, except for food and clothing, for

(c) As these words are variously punctuated, I will give the passage as translated by Pallavicini: "Per queste cose tuttavia il concilio non intende d'innovare ò di proibire niente onde la Religione de'Cherici della Compagnia di Gesù non possa vivere e servire alla chiesa secondo il pio suo Istituto approvato dalla sede Apostolica.—Vol. ii. p. 1011.

the time that they are under probation ; lest the said novice may be unable to leave on this account,—that the monastery is in possession of the whole, or of the greater part of his substance ; and he may not easily be able to recover it, if he should leave. Yea rather the holy Synod enjoins, under the pain of anathema on the givers and receivers, that this be nowise done ; and that, to those who leave before their profession, every thing that was theirs be restored to them. And the bishop shall, if need be, enforce by ecclesiastical censures that this be performed in a proper manner,

CHAPTER XVII.

If a girl, who is more than twelve years of age, wish to take the Regular Habit, she shall be questioned by the Ordinary, and again before Profession.

The holy Synod, having in view the freedom of the profession on the part of virgins who are to be dedicated to God, ordains and decrees, that if a girl, being more than twelve years of age, desire to take the religious habit, she shall not take that habit, neither shall she, nor any other, at a later period, make her profession, until the bishop,—or, if he be absent, or hindered, his vicar, or some one deputed thereunto by them, and at their expense,—has carefully examined into the inclination of the virgin, whether she has been compelled or enticed thereunto, or knows what she is doing ; and if her will be found to be pious and free, and she have the qualifications required by the rule of that convent and order ; and if also the convent be a suitable one ; it shall be free for her to make her profession. And that the bishop may not be in ignorance as to the time of profession, the Superioress of the convent shall be bound to give him notice thereof a month beforehand ; but if she do not acquaint him therewith, she shall be suspended from her office, for as long a period as the bishop shall think fit.

CHAPTER XVIII.

No one shall, except in the cases by law expressed, compel a woman to enter a Monastery; or prevent her, if she desire to enter. The constitutions of the Penitents, or Convertites, shall be preserved.

The holy Synod places under anathema all and singular those persons, of what quality or condition soever they may be, whether clerics or laymen, Seculars or Regulars, or with whatsoever dignity invested, who shall, in any way whatever, force any virgin, or widow, or any other woman whatsoever,—except in the cases provided for by law,—to enter a convent against her will, or to take the habit of any religious order, or to make her profession; as also all those who lend their counsel, aid, or countenance thereunto; and those also who, knowing that she does not enter into the convent voluntarily, or voluntarily take the habit, or make her profession, shall, in any way, interfere in that act, by their presence, or consent, or authority.

It also subjects to a like anathema those who shall, in any way, without a just cause, hinder the holy wish of virgins, or other women, to take the veil, or make their vows. And all and singular those things which ought to be done before profession, or at the profession itself, shall be observed not only in convents subject to the bishop, but also in all others whatsoever. From the above, however, are excepted those women who are called penitents, or convertites; ^(d) in whose regard their constitutions shall be observed.

CHAPTER XIX.

How to proceed in cases of pretended invalidity of profession.

No Regular soever, who shall pretend that he entered into a religious order through compulsion and fear; or shall even allege

(d) Convertitæ.

that he made his profession before the proper age ; or the like ; and would fain lay aside his habit, be the cause what it may ; or would even withdraw with his habit without the permission of his superior ; shall be listened to, unless it be within five years only from the day of his profession, and not then either, unless he has produced before his own superior, and the Ordinary, the reasons which he alleges. But if, before doing this, he has of his own accord laid aside his habit ; he shall in no wise be admitted to allege any cause whatever ; but shall be compelled to return to his monastery, and be punished as an apostate ; and meanwhile he shall not have the benefit of any privilege of his order.

Also, no Regular shall, by virtue of any manner of faculty, be transferred to an order less rigid ; nor shall permission be granted to any Regular to wear in secret the habit of his order.

CHAPTER XX.

Superiors of orders not subject to bishops shall visit and correct inferior Monasteries, even though held in commendam.

Abbots, who are heads of orders, and the other Superiors of the aforesaid orders, who are not subject to bishops, but have a lawful jurisdiction over other inferior monasteries, or priories, shall, each in his own place and order, visit officially the said monasteries and priories that are subject to them, even though held *in commendam* : which, for as much as they are subject to the heads of their own orders, the holy Synod declares that they are not to be included in what has been elsewhere decreed relative to the visitation of monasteries held *in commendam* ; and those who preside over monasteries of the orders aforesaid shall be bound to receive the above-named visitors, and to execute their orders.

Also, those monasteries themselves which are the heads of orders, shall be visited conformably to the constitutions of the holy Apostolic See, and of each several order. And so long as the said commendatary monasteries shall continue, there shall be appointed, by the general Chapters, or by the visitors of the

said orders, priors claustral, or sub-priors in those priories that are conventual, who shall exercise spiritual authority, and correction. In all other things the privileges and faculties of the above-named orders, as regards the persons, places, and rights thereof, shall remain firm and inviolate.

CHAPTER XXI.

Over Monasteries, Religious of that same order shall be appointed.

Whereas very many monasteries, even abbeys, priories, and provostries, have suffered no slight injury, both in spirituals and temporals, through the mal-administration of those to whom they have been entrusted, the holy Synod would fain by every means restore them to a discipline suitable to a monastic life. But the present state of the times is so fraught with hindrances and difficulties that a remedy can neither be applied at once to all, nor common to all places, as It could desire; nevertheless, that It may not omit anything which may in time be used in wholesomely providing against the evils aforesaid, It trusts in the first place, that the most holy Roman Pontiff will, of his piety and prudence, make it his care,—as far as he sees that the times will permit,—that over those monasteries which are at present held *in commendam*, and which are conventual, there be appointed Regulars, expressly professed of the same order, and capable of guiding and of governing the flock. And as to such as shall become vacant hereafter, they shall be conferred solely on Regulars of distinguished virtue and holiness. But as regards those monasteries which are the heads and chiefs^(f) of orders, be the filiations thereof called abbeys or priories,^(g) those who hold them at present *in commendam* shall be bound,—unless provision be made for a Regular successor thereunto,—

(f) Primates.

(g) Pallav. translates somewhat differently; ò le Badie e i Priorati che si chiamano figliuoli di tali capi.

either to make, within six months, a solemn profession of the religious life which is peculiar to the said orders, or to resign; otherwise the places aforesaid held *in commendam* shall be accounted *ipso jure* vacant. But, lest any fraud may be used as regards all and singular the aforesaid matters, the holy Synod ordains, that in the appointments to the said monasteries, the quality of each individual be specifically expressed; and any appointment made otherwise shall be accounted surreptitious, and shall not be rendered valid by any subsequent possession, even though extending over three years.

CHAPTER XXII.

The Decrees touching the Reformation of Regulars shall be carried into execution at once by all.

The holy Synod enjoins, that all and singular the matters contained in the foregoing decrees be observed in all convents and monasteries, colleges, and houses of all monks and religious whatsoever, as also of all religious virgins and widows soever, even though living under the conduct of the military orders, of the order even (of St. John) of Jerusalem, and by what name soever they may be designated, under whatsoever rule or constitutions they may be, or under the care or government of, or in subjection to, union with, or dependence on, any order whatsoever, whether of mendicants, or not mendicants, or of other Regular monks, or canons of whatsoever kind: any privileges whatsoever of all and each of the above-named, under whatsoever form of words expressed, even those called *mare magnum*, even those obtained at their foundation, as also any constitutions and rules whatsoever, even though sworn to, and any customs, or prescriptions whatsoever, even though immemorial, to the contrary notwithstanding. But, if there be any Regulars, whether men or women, who are living under stricter rule or statutes, the holy Synod does not intend to withdraw them from their institute and observance, except as to the power of possessing real property in common. And forasmuch as the holy

Synod desires that all and singular the things aforesaid be put in execution as soon as possible, It enjoins on all bishops that, in the monasteries which are subject to them, as also in all the rest specially committed to them in the preceding decrees; and on all abbots, and generals, and other Superiors of the above-named orders; that they forthwith put in execution the matters aforesaid, and if there be anything which is not carried into execution, the provincial Councils shall remedy, and punish the negligence of the bishops; and that of Regulars, their provincial and general Chapters; and, in default of general Chapters, the provincial Councils shall, by deputing certain persons belonging to the same order, provide herein.

The holy Synod also exhorts all kings, princes, republics, and magistrates, and by virtue of holy obedience commands them, to vouchsafe to interpose, as often as requested, their help and authority in support of the aforesaid bishops, abbots, generals, and other superiors in the execution of the things comprised above, that so they may, without any hindrance, rightly execute the preceding matters to the praise of Almighty God.

DECREE ON REFORMATION.

CHAPTER I.

Cardinals and all Prelates of the churches shall be content with modest furniture and a frugal table: they shall not enrich their relatives or domestics out of the property of the Church.

It is to be wished, that those who undertake the office of a bishop should understand what their portion is; and comprehend that they are called, not to their own convenience,^(f) not to riches or luxury, but to labours and cares for the glory of God. For it is not to be doubted, that the rest of the faithful

(f) Commoda, advantage, or interests.

also will be more easily excited to religion and innocence, if they shall see those who are set over them, not fixing their thoughts on the things of this world, but on the salvation of souls, and on their heavenly country. Wherefore the holy Synod, being minded that these things are of the greatest importance towards restoring ecclesiastical discipline, admonishes all bishops, that, often meditating thereon, they show themselves conformable to their office, by their actual deeds, and the actions of their lives ; which is a kind of perpetual sermon ; but above all that they so order their whole conversation, as that others may thence be able to derive examples of frugality, modesty, continency, and of that holy humility which so much recommends us to God.

Wherefore, after the example of our fathers in the Council of Carthage, It not only orders that bishops be content with modest furniture, and a frugal table and diet, but that they also give heed that in the rest of their manner of living, and in their whole house, there be nothing seen that is alien from this holy institution, and which does not manifest simplicity, zeal towards God, and a contempt of vanities. Also, It wholly forbids them to strive to enrich their own kindred or domestics out of the revenues of the church : seeing that even the canons of the Apostles forbid them to give to their kindred the property of the church, which belongs to God ; but if their kindred be poor, let them distribute to them thereof as poor, but not misapply, or waste, it for their sakes : yea, the holy Synod, with the utmost earnestness, admonishes them completely to lay aside all this human and carnal affection towards brothers, nephews and kindred, which is the seed-plot of many evils in the church. And what has been said of bishops, the same is not only to be observed by all who hold ecclesiastical benefices, whether Secular or Regular, each according to the nature of his rank, but the Synod decrees that it also regards the cardinals of the holy Roman Church ; for whereas, upon their advice to the most holy Roman Pontiff, the administration of the universal Church depends, it would seem to be a shame, if they did not at the same time shine so pre-eminent in virtue and in the discipline of their lives, as deservedly to draw upon themselves the eyes of all men.

CHAPTER II.

By whom individually the Decrees of the Council are to be solemnly received; and by whom a profession of faith is to be made.

The calamitousness of the times, and the malignity of the increasing heresies demand, that nothing be left undone which may seem in any wise capable of tending to the edification of the people, and to the defence of the Catholic faith. Wherefore the holy Synod enjoins on patriarchs, primates, archbishops, bishops, and all others, who, of right or custom, ought to be present at the provincial Council, that, in the very first provincial Synod that shall be held after the close of this Council, they publicly receive all and singular the things that have been defined and ordained by this holy Synod; as also that they promise and profess true obedience to the Sovereign Roman Pontiff; and at the same time publicly express their detestation of and anathematize all the heresies that have been condemned by the sacred canons and general councils, and especially by this same Synod. And henceforth, all those who shall be promoted to be patriarchs, primates, archbishops, and bishops, shall strictly observe the same in the first provincial Synod at which they shall be present. And should any one of all the aforesaid refuse, which God forbid, the bishops of the same province shall be bound, under pain of the divine indignation, at once to give notice thereof to the Sovereign Roman Pontiff, and shall meanwhile abstain from communion with that person. And all others, who now hold, or shall hereafter hold, ecclesiastical benefices, and whose duty it is to be present at the diocesan Synod, shall do and observe the same, as above set down, on the very first occasion that the synod shall be held, otherwise they shall be punished according to the form of the sacred canons. Moreover, all those to whom belong the charge, visitation, and reformation of universities and of (places of) general studies, shall diligently take care that the canons and decrees of this holy Synod be, by the said universities, wholly

received; and that the masters, doctors, and others, in the said universities, interpret and teach those things which are of Catholic faith, in conformity therewith; and that at the beginning of each year they bind themselves by solemn oath to this procedure. And also if there be any other things that need correction and reformation in the universities aforesaid, they shall be reformed and regulated by those whom it regards, for the advancement of religion and of ecclesiastical discipline. But as regards those universities which are immediately under the protection of the Sovereign Pontiff, and are subject to his visitation, his Blessedness will take care that they be, by his delegates, wholesomely visited and reformed in the manner aforesaid, and as shall seem to him most advantageous.

CHAPTER III.

The sword of excommunication is not to be rashly used: when an execution can be made on property or person, censures are to be abstained from: the civil magistrates shall not interfere herein.

Although the sword of excommunication is the very sinews of ecclesiastical discipline, and very salutary for keeping the people in their duty, yet is it to be used with sobriety and great circumspection; seeing that experience teaches, that if it be rashly or for slight causes wielded, it is more despised than feared, and produces ruin rather than safety. Wherefore, those excommunications, which, after certain admonitions, are wont to be issued with the view as it is termed, of causing a revelation, or on account of things that have been lost or stolen, shall be issued by no one whomsoever, but the bishop; and not then, otherwise than on account of some circumstance of no common kind which moves the mind of the bishop thereunto, after the cause has been by him diligently and very maturely weighed; nor shall he be induced to grant the said excommunications by the authority of any Secular person whatever, even though a magistrate; but the whole shall be left to his own judgment and

conscience, when, considering the circumstances, the place, the person, or the time, he shall himself judge that such are to be resolved on.

As regards judicial causes, it is enjoined on all ecclesiastical judges, of whatsoever dignity they may be, that, both during the proceedings, and in giving judgment, they abstain from ecclesiastical censures, or interdict, as often as an execution on the person or property can, in each stage of the process, be effected by them of their own proper authority ; but in civil causes, which in any way belong to the ecclesiastical court, it shall be lawful for them, if they judge it expedient, to proceed against all persons whatsoever, even laymen, and to terminate suits, by means of pecuniary fines, which, by the very fact of being levied, shall be assigned to the pious places there existing ; or by distress upon the goods, or arrest of the person, to be made either by their own, or other officers ; or even by deprivation of benefices, and other remedies at law. But if the execution cannot be made in this way, either upon the person, or goods, of the guilty, and there be contumacy towards the judge, he may then, in addition to the other penalties, smite them also with the sword of anathema, if he think fit.

In like manner in criminal causes, wherein an execution can as above be effected upon the person or goods, the judge shall abstain from censures ; but, if that execution cannot easily be made, it shall be lawful for the judge to employ the said spiritual sword against delinquents ; provided however the character of the offence so require, and after two monitions at least, and this by public notice.^(h) And it shall not be lawful⁽ⁱ⁾ for any civil magistrate, to prohibit an ecclesiastical judge from excommunicating any individual ; or to command that he revoke an excommunication that has been issued ; under pretext that the things contained in the present decree have not been observed ; whereas the cognizance hereof does not appertain to Seculars, but to ecclesiastics. And every excommunicated person, who, after the lawful monitions, does not repent, shall not only not be received to the sacraments, and to communion, and

(h) Etiam per edictum, also, or, even by an edict.

(i) Nefas

intercourse^(k) with the faithful, but if, being bound with censures, he shall, with obdurate heart, remain for a year in the defilement thereof, he may even be proceeded against as suspected of heresy.

CHAPTER IV.

Where the number of Masses to be celebrated is excessive, Bishops, Abbots, and Generals, shall make such regulation as shall seem to them expedient.

It frequently happens, in divers churches, either that so great a number of masses is required to be celebrated on account of various legacies from persons deceased, that it is not possible to comply therewith on the particular days prescribed by the testators; or, that the alms left for the celebration thereof is so slight that it is not easy to find any one willing to undertake the duty; whereby the pious intentions of the testators are frustrated, and occasion is given for burthening the consciences of those who are concerned in the aforesaid obligations. The holy Synod, being desirous that these legacies for pious uses be satisfied in the most complete and useful manner possible, empowers bishops in diocesan Synod, and likewise abbots and generals of orders in their general Chapters, to ordain, in regard hereof, whatsoever in their consciences they shall, upon a diligent examination of the circumstances, judge to be most expedient for God's honour and worship, and the good of the churches, in those churches aforesaid which they shall find stand in need of some regulation in this matter, in such wise however that a commemoration be always made of the departed who, for the welfare of their souls, have left the said legacies for pious uses.

(k) Familiaritatem, familiarity.

CHAPTER V.

The conditions and obligations imposed on Benefices shall be observed.

Reason requires, that, in regulations which have been well established, no alteration be made by any ordinances to the contrary. Whenever, therefore, by virtue of the erection or foundation of any benefices, or in consequence of other regulations, certain qualifications are required, or certain obligations are attached thereunto, they shall not be derogated from in the collation, or in any other arrangement whatsoever in regard of the said benefices. The same also shall be observed as to prebends assigned to teachers of theology, masters, doctors,⁽¹⁾ priests, deacons, or subdeacons, whenever such prebends have been established in this manner, in such sort that, in no provision whatever shall anything be altered in regard of the said qualifications and orders; and any provision made otherwise shall be accounted surreptitious.

CHAPTER VI.

In what manner the Bishop ought to act in regard of the visitation of exempted Chapters.

The holy Synod ordains that the decree, made under Paul III., of happy memory, beginning *Capitula Cathedralium*, shall be observed in all cathedral and collegiate churches, not only when the bishop makes his visitation, but also as often as he proceeds *ex officio*, or at the petition of another, against any one of those who are comprised in the said decree; yet so, however, that whenever he institutes proceedings out of visitation, all the particulars subjoined shall have place: to wit, that the Chapter shall, at the beginning of each year, select two individuals belong-

(1) Præbendis theolgalibus, magistralibus, doctoralibus.

ing to the Chapter, with whose counsel and consent the bishop, or his vicar, shall be bound to proceed, both in instituting the process, and in all the other acts thereof until the end of the cause inclusively,—in the presence, nevertheless, of the notary of the said bishop, and in the bishop's house, or his ordinary court of justice. The two deputies shall, however, have but one vote; but either of them may give his vote in unison with that of the bishop. But if, as regards any proceeding, or as regards any interlocutory or definitive sentence, they shall both differ from the bishop, they shall in this case choose, in conjunction with the bishop, a third person, within the term of six days: and should they also not agree in the election of that third person, the choice shall devolve on the nearest bishop; and the point whereon they differed shall be decided, in accordance with the opinion which that third person sides with; otherwise, the proceedings, and what follows thereupon, shall be null, and of no effect in law. Nevertheless, in crimes arising from incontinency, whereof mention has been made in the decree concerning concubinaries, as also in the more heinous crimes which require deposition or degradation; where flight is apprehended, and where, that judgment may not be eluded, it is necessary to secure the person, the bishop may at first proceed singly to a summary information, and to the necessary detention of the person; observing, however, in the rest of the proceedings, the order named above. But in all cases regard is to be paid to this, that the delinquents be kept in custody in a suitable place, according to the quality of the crime and of the persons. Moreover, there shall everywhere be rendered to bishops that honour which comports with their dignity; and in choir, in the chapter, in processions, and other public functions,^(m) they shall have the first seat, and the place which they shall themselves make choice of, and theirs shall be the chief authority in everything that is to be done.

If the bishops shall propose anything to the canons to be deliberated on, and the matter treated of be not one which

(m) *Actibus publicis*, public actions or proceedings. *Pallav. funzioni.*

regards any benefit to them or theirs, they shall themselves convoke the Chapter, take the votes,⁽ⁿ⁾ and decide according to them. But, in the absence of the bishop, this shall be wholly done by those of the Chapter, to whom of right or custom it appertains, nor shall the bishop's vicar be allowed to do it. But in all other things, the jurisdiction and power of the Chapter, if any there be belonging thereunto, as also the administration of their property, shall be left wholly unimpaired and untouched. As regards those who do not possess any dignities, and are not of the Chapter, they shall all be subject to the bishop in causes ecclesiastical; notwithstanding, as regards the things aforesaid, any privileges accruing even from any foundation; as also any customs, even though immemorial; any sentences, oaths, concordates, which bind the authors thereof only; saving, however, in all things those privileges which have been granted to universities for general studies, or to the persons who belong thereunto. But all and singular these things shall not have effect in those churches wherein the bishops, or their vicars, by virtue of constitutions, privileges, customs, concordates, or by any other right whatsoever, have a power, authority, and jurisdiction greater than that which is included in the present decree; from which (powers) the holy Synod does not intend to derogate.

CHAPTER VII.

The Access and Regress in regard of Benefices are done away with; in what manner, to whom, and for what cause, a Coadjutor is to be granted.

Whereas, as regards ecclesiastical benefices, whatsoever carries with it the appearance of hereditary succession is a thing odious to the sacred constitutions, and contrary to the decrees of the Fathers; no *Access* or *Regress*,^(o) in regard of any ecclesiastical benefice of whatsoever quality, shall, even though by con-

⁽ⁿ⁾ Vota exquirat, demand their opinions or votes.

^(o) *Access*, right of accession to a benefice, at some future period; *regress*, right of returning to a benefice vacated, in case of the death, &c., of the actual incumbent.

sent, be henceforth granted to any individual ; nor shall those already granted be suspended, extended, or transferred. And this decree shall have effect in regard of all ecclesiastical benefices whatsoever, and even in cathedral churches, and as regards all manner of persons soever, even though distinguished with the honour of the cardinalate.

In like manner, as regards coadjutorships with future succession, the same shall henceforth be observed ; (to wit) that they shall not be permitted to any one in regard of any ecclesiastical benefices whatsoever. But if at any time the urgent necessity, or the evident advantage of a cathedral church, or of a monastery, demands that a coadjutor be granted to a prelate, such coadjutor with (the right of) future succession shall not otherwise be granted but after the said cause has been first diligently taken cognizance of by the most holy Roman Pontiff ; and it is certain, that all those qualifications which, by law, and by the decrees of this holy Synod, are required in bishops and prelates, are reunited in his person ; otherwise, the concessions made herein, shall be accounted surreptitious.

CHAPTER VIII.

What is to be observed in regard of Hospitals. By whom, and in what manner, the negligence of administrators is to be punished.

The holy Synod admonishes all who hold any ecclesiastical benefices, whether Secular or Regular, to accustom themselves, as far as their revenues will allow, to exercise with alacrity and kindness the office of hospitality, so frequently commended by the holy Fathers ; being mindful that those who cherish hospitality receive Christ in (the person of) their guests. But as regards those who hold *in commendam*, or by way of administration, or under any other title whatsoever, or have even united to their own churches, the places commonly called hospitals, or other pious places instituted especially for the use of pilgrims, of the infirm, the aged, or the poor ; or, if the parish churches should happen to be united to hospitals, or have been turned

into hospitals, and have been granted to the patrons thereof to be by them administered, the Synod strictly commands, that they execute the charge and duty imposed upon them, and that they actually exercise that hospitality, which is due at their hands, out of the fruits devoted to that purpose, pursuant to the constitution of the Council of Viennæ, renewed elsewhere by this same holy Synod under Paul III., of happy memory, and which begins, *Quia contingit*. But if these hospitals were instituted to receive a certain class of pilgrims, or of infirm persons, or of others; and in the place where the said hospitals are situated, there are no such persons, or very few, to be found, It doth further command, that the fruits thereof be converted to some other pious use, the nearest that may be to their original destination, and the most useful for that time and place, as shall seem to be the most expedient to the Ordinary, aided by two of the Chapter, experienced in matters of business, to be chosen by him; unless it be that the contrary happen to be expressed, to meet even this case, in the foundation, or institution thereof; in which event, the bishop shall take care that what is ordained be observed, or, if that be not possible, he shall, as above, regulate the matter in a useful manner.

Wherefore, if all and singular the persons aforesaid, of whatsoever order, and religious body, and dignity they may be, be they even laymen, who have the administration of hospitals,—provided, however, they be not subject to Regulars where regular observance is in force,—shall, after having been admonished by the Ordinary, have ceased really to discharge the duty of hospitality, complying with all the necessary conditions to which they are bound, they may be compelled thereunto not only by ecclesiastical censures, and other remedies at law, but may also even be deprived for ever of the administration and care of the hospital itself; and others shall be substituted in their place, by those to whom this may belong. And the persons aforesaid shall, this notwithstanding, be bound in conscience to make restitution of the fruits which they have received contrary to the institution of the said hospitals; which restitution shall not be pardoned them by any remission or composition: nor shall the administration or government of such places be henceforth en-

trusted to one and the same person longer than for three years, unless it be otherwise provided in the foundation thereof; notwithstanding, as regards all the above-named particulars, any union, exemption, and custom, even from time immemorial, to the contrary, or any privileges, or indults of whatever kind.

CHAPTER IX.

In what manner a right of patronage is to be proved, and to whom granted: what is not lawful for patrons. Unions of free benefices, to churches under right of patronage, prohibited. Rights of patronage, not legitimately obtained, are to be revoked.

Even as it is not just to take away the legitimate rights of patronage, and to violate the pious intentions of the faithful in the institution thereof, so also neither is it to be suffered, that, under this pretext, ecclesiastical benefices be reduced to a state of servitude, as by many is impudently done. In order, therefore, that what reason requires may be observed in all things, the holy Synod ordains, that the title to the right of patronage shall be (derived) from a foundation, or an endowment; which (title) shall be shown from an authentic document, and the other (proofs) required by law; or, also, by repeated presentations during a period of time so remote that it exceeds the memory of man; or, otherwise, according as the law directs. But as regards those persons, or communities, or universities, by which that right is for the most part presumed to have been obtained by usurpation rather than otherwise, a more full and exact proof shall be required to establish a true title; nor shall the proof derived from time immemorial be otherwise of avail in their regard, unless—besides other things necessary for that proof—presentations, even continuous, during the space of not less than fifty years, at the least, all of which presentations have been carried into effect, shall be proved from authentic writings. All other rights of patronage, in regard of benefices, as well Secular as Regular, or parochial, or in regard of dignities, or any other benefices whatsoever, in a cathedral or col-

legiate church; as also all faculties and privileges, whether granted so as to have the force of patronage, or, by virtue of any other right whatsoever, to nominate, elect, present to the said benefices when they become vacant, excepting the rights of patronage belong to cathedral churches, and excepting such other (rights of patronage) as belong to the emperor, to kings, or to those who possess kingdoms, and to other high and supreme princes who have the rights of sovereignty within their own dominions, as also those (rights of patronage) which have been bestowed in favour of (places of) general studies, shall be understood to be wholly abrogated and made void, together with the quasi-possession which has followed thereupon. And benefices of this kind shall be conferred, as being free, by those who collate thereunto; and such appointment shall have full effect.

Furthermore, it shall be lawful for the bishop to reject the persons whom the patrons have presented, if they be not fit. But if the institution belongs to inferior (ecclesiastics), they (the presentees) shall nevertheless be examined by the bishop, pursuant to what has been elsewhere ordained by this holy Synod; otherwise the institution made by those inferiors shall be null and void.

But the patrons of benefices, of whatsoever order and dignity they may be, be they (the patrons) even communities, universities, or any colleges whatsoever whether of clerics or laymen, shall not in any way, nor for any manner of cause or occasion, meddle with the receiving of the fruits, rents, or revenues of any benefices whatsoever, even though those benefices be truly, by foundation or endowment, under their right of patronage; but shall leave them to the free disposal of the rector, or of the beneficiary, any custom whatever to the contrary notwithstanding. Nor shall they presume to transfer to others, contrary to the decrees of the canons, the said right of patronage, by sale, or under any other title whatsoever: if they act otherwise, they shall be subjected to the penalties of excommunication and interdict, and shall be *ipso jure* deprived of the aforesaid right itself of patronage. Moreover, those accessions^(P) made

(P) Accessiones, augmentations, amalgamations.

by way of union of free benefices with churches that are subject to the right of patronage, even of laymen, whether those churches be parochial, or benefices of any other kind whatsoever, even such as are simple, or are dignities, or hospitals, in such wise that the free benefices aforesaid are made to be of the same nature as those unto which they are united, and are placed under the (same) right of patronage; such (accessions), if they have not as yet been carried into full effect, as also such as shall henceforth be made, at the instance of any person whatsoever, by whatsoever authority, be it even apostolic, shall, together with the said unions themselves, be regarded as having been obtained surreptitiously; notwithstanding any form of words therein employed, or any derogation which may be held as equivalent to being expressed; nor shall such unions be any more carried into execution, but the benefices themselves so united shall, when vacant, be freely conferred as previously.

As regards those augmentations, which, having been made within the last forty years, have obtained their effect and a complete incorporation; such shall nevertheless be reviewed and examined by the Ordinaries, as the delegates of the Apostolic See; and those which shall be found to have been obtained by surreption, or obreption, shall, together with the unions, be declared invalid, and the benefices themselves shall be separated, and be conferred upon other persons.

In like manner also whatsoever rights of patronage,—over churches, and any other benefices of whatsoever kind, even dignities which were previously free,—which have been acquired within the last forty years, or that may henceforth be acquired, whether through an increase of the endowment, or in consequence of erecting the building afresh,⁽¹⁾ or from some other like cause, even though with the authority of the Apostolic See, shall be carefully taken cognizance of by the said Ordinaries, as delegates as aforesaid; and they shall not be hindered by the faculties, or privileges of any individual in regard thereof; but they shall wholly revoke such rights of patronage as they

(1) *Ex nova constructione.*

shall find not to have been legitimately established on account of some most evident necessity of the church, or benefice, or dignity; and they shall restore benefices of this kind to their former state of liberty; without injury however to the incumbents thereof, and after having restored to the patrons whatsoever they may have given on this score; any privileges, constitutions, and customs, even though immemorial, notwithstanding.

CHAPTER X.

Judges, unto whom causes may be committed by the Apostolic See, are to be nominated by the Synod: all judges shall terminate causes speedily.

Forasmuch as on account of the malicious suggestions of suitors, and at times also by reason of the distance of places, a knowledge of the persons to whom causes are committed cannot be perfectly obtained; and hence causes are sometimes referred to judges on the spot who are not altogether fit; the holy Synod ordains, that, in each provincial, or diocesan, Synod, there shall be designated certain persons who have the qualifications required by the constitution of Boniface VIII., which begins, *Statutum*, and who are otherwise suited thereunto; that, to them also, besides the Ordinaries of the places, may henceforth be committed those ecclesiastical and spiritual causes, belonging to the ecclesiastical court, which may have to be delegated to their districts. And if one of these so designated shall happen to die in the interim, the Ordinary of the place, with the advice of the Chapter, shall substitute another in his stead, until the next provincial or diocesan Synod; in such sort that each diocese shall have at least four, or even more, persons approved of and qualified as above, to whom causes of this nature may be committed by any legate, or nuncio, and even by the Apostolic See: otherwise, after the said designation has been made, which the bishops shall forthwith transmit to the Sovereign Roman Pontiff, any delegations whatsoever of other

judges, made to any others but the above, shall be regarded as surreptitious.

The holy Synod furthermore admonishes both the Ordinaries and all other judges whatsoever to endeavour to terminate causes in as brief a period as possible; and to meet in every way, either by prescribing a given term, or by some other available method, the artifices of lawyers, whether in delaying the trial of the suit, or any other part of the judicial process.

CHAPTER XI.

Certain leases of Ecclesiastical Property or rights are prohibited; certain other such leases are annulled.

It ordinarily brings great ruin upon churches, when the property thereof is, to the prejudice of those who succeed, leased out to others upon the present payment of a sum of money. Wherefore, all leases of this kind, if made for payments in advance, shall be in no wise considered valid to the prejudice of those who succeed; any indult or privilege whatsoever notwithstanding; nor shall such leases be confirmed in the Roman court, or elsewhere.

Neither shall it be lawful, to farm out ecclesiastical jurisdictions, or the faculties of nominating, or of deputing vicars in spirituals; nor for the lessees to exercise the above in person or by others; and any grants to the contrary, even though made by the Apostolic See, shall be esteemed surreptitious. As to leases of ecclesiastical things, even though confirmed by apostolical authority, the holy Synod declares those to be invalid, which, having been made within the last thirty years, for a long term, or as they are designated in some districts, for twenty-nine, or for twice twenty-nine years, shall be judged by the provincial Synod, or by the deputies thereof, to have been contracted to the injury of the church, and contrary to the ordinances of the canons.

CHAPTER XII.

Tithes to be paid in full: those withholding, or hindering, the payment thereof are to be excommunicated: the Rectors of Poor Churches are to be piously relieved.

Those are not to be borne who, by various artifices, endeavour to withhold the tithes accruing to the churches; nor those who rashly take possession of, and apply to their own use, the tithes which have to be paid by others; whereas the payment of tithes is due to God; and they who refuse to pay them, or hinder those who give them, usurp (r) the property of another. Wherefore, the holy Synod enjoins on all, of whatsoever rank and condition they be, to whom it belongs to pay tithes, that they henceforth pay in full the tithes, to which they are bound in law, to the cathedral church, or to whatsoever other churches, or persons, they are lawfully due. And they who either withhold them, or hinder them (from being paid), shall be excommunicated; nor be absolved from this crime, until after full restitution has been made. It further exhorts all and each, that, of their Christian charity, and the duty which they owe to their own pastors, they grudge not, out of the good things that are given them by God, to assist bountifully those bishops and parish priests who preside over the poorer churches; to the praise of God, and to maintain the dignity of their own pastors who *watch* for them.

CHAPTER XIII.

The fourth of Funeral (dues) shall be paid to the Cathedral or Parish Churches.

The holy Synod ordains, that in whatsoever places, forty years ago, a fourth, as it is called, of funerals, was accustomed

(r) Invaunt.

to be paid to the cathedral, or parish, church, but has subsequently, by virtue of whatsoever privilege, been granted to other monasteries, hospitals, or to any other kind of pious places; the same shall henceforth, with all its rights, (*) and in the same proportion as was formerly usual, be paid to the cathedral or parish church; all grants, graces, privileges, even those called *mare magnum*, or any others whatsoever, to the contrary notwithstanding.

CHAPTER XIV.

The manner of proceeding against Clerics who keep concubines is prescribed.

How shameful a thing, and how unworthy it is of the name of clerics who have devoted themselves to the service of God, to live in the filth of impurity, and unclean bondage, the thing itself doth testify, in the common scandal of all the faithful, and the extreme disgrace entailed on the clerical order. To the end, therefore, that the ministers of the Church may be recalled to that continency and integrity of life which becomes them; and that the people may hence learn to reverence them the more, that they know them to be more pure of life: the holy Synod forbids all clerics whatsoever to dare to keep concubines, or any other woman of whom any suspicion can exist, either in their own houses, or elsewhere, or to presume to have any intercourse with them: otherwise they shall be punished with the penalties imposed by the sacred canons, or by the statutes of the (several) churches. But if, after being admonished by their superiors, they shall not abstain from these women, they shall be *ipso facto* deprived of the third part of the fruits, rents, and proceeds of all their benefices whatsoever, and pensions; which third part shall be applied to the fabric of the church, or to some other pious place, at the discretion of the bishop. If, however, persisting in the same crime, with the same or some

(*) *Integro jure*, in its entire right, fully.

other woman, they shall not even yet have obeyed upon a second admonition, not only shall they thereupon forfeit all the fruits and proceeds of their benefices and pensions, which shall be applied to the places aforesaid, but they shall also be suspended from the administration of the benefices themselves, for as long a period as shall seem fit to the Ordinary, even as the delegate of the Apostolic See. And if, having been thus suspended, they nevertheless shall not put away those women, or, even if they shall have intercourse with them, then shall they be for ever deprived of their ecclesiastical benefices, portions, offices, and pensions of whatsoever kind, and be rendered thenceforth incapable and unworthy of any manner of honours, dignities, benefices and offices, until, after a manifest amendment of life, it shall seem good to their superiors, for a cause, to grant them a dispensation. But if, after having once put them away, they shall have dared to renew the interrupted connexion, or to take to themselves other scandalous women of this sort, they shall, in addition to the penalties aforesaid, be smitten with the sword of excommunication. Nor shall any appeal, or exemption, hinder or suspend the execution of the aforesaid; and the cognizance of all the matters above-named shall not belong to archdeacons, or deans, or other inferiors, but to the bishops themselves, who may proceed without the noise and the formalities of justice, and by the sole investigation of the truth of the fact.

As regards clerics who have not ecclesiastical benefices or pensions, they shall, according to the quality of their crime and contumacy, and their persistance therein, be punished, by the bishop himself, with imprisonment, suspension from their order, inability to obtain benefices, or in other ways, conformably with the sacred canons.

Bishops also, if, which God forbid, they abstain not from crime of this nature, and, upon being admonished by the provincial Synod, they do not amend, shall be *ipso facto* suspended; and, if they persist therein, they shall be reported by the said Synod to the most holy Roman Pontiff, who shall punish them according to the nature of their guilt, even with deprivation, if need be.

CHAPTER XV.

The illegitimate Sons of Clerics are excluded from certain Benefices and Pensions.

That the memory of paternal incontinency may be banished as far as possible from places consecrated to God, where purity and holiness are most especially beseeing ; it shall not be lawful for the sons of clerics, not born in lawful wedlock, to hold, in those churches wherein their fathers have, or had, an ecclesiastical benefice, any benefice whatsoever, even though a different one ; nor to minister in any way in the said churches ; nor to have pensions out of the revenues of benefices which their fathers hold, or have aforetime held. And if a father and son shall be found, at this present time, to hold benefices in the same church ; the son shall be compelled to resign his benefice, or to exchange it for another out of that church, within the space of three months, otherwise he shall be *ipso jure* deprived thereof ; and any dispensation in regard of the aforesaid shall be accounted surreptitious. Moreover, any reciprocal resignations which shall from this time forth be made by fathers who are clerics in favour of their sons, that one may obtain the benefice of the other, shall be wholly regarded as made in fraudulent evasion of this decree, and of the ordinances of the canons ; nor shall the collations that may have followed, by virtue of resignations of this kind, or of any others whatsoever made fraudulently, be of avail to the said sons of clerics.

CHAPTER XVI.

Benefices with cure shall not be converted into simple Benefices : a suitable portion of the fruits shall be assigned to the Vicar who exercises the cure of souls.

The holy Synod ordains, that those Secular ecclesiastical benefices, by whatsoever name they may be called, which, by

their original institution, or in any other way whatever, have the cure of souls, shall not henceforth be converted into a simple benefice, even though a suitable portion be assigned to a perpetual vicar; notwithstanding any graces whatsoever which have not obtained their full effect. But, as regards those benefices wherein, contrary to the institution or foundation thereof, the cure of souls has been transferred to a perpetual vicar, even though they be found to have been in this state from time immemorial, if a suitable portion of the fruits have not been assigned to the vicar of the church, by what name soever he may be designated, the same shall be assigned as soon as possible, and within a year at the furthest from the end of the present Council, at the discretion of the Ordinary; pursuant to the form of the decree made under Paul III., of happy memory. But if this cannot conveniently be done, or if it be not done, within the said term, as soon as the benefice shall be vacant, either by the resignation or death of the vicar, or rector, or in whatsoever way either of the above shall vacate it, it shall receive again the cure of souls; the name of vicarage cease; and it shall be restored to its ancient state.

CHAPTER XVII.

Bishops shall maintain their dignity; nor conduct themselves with unworthy servility towards the Ministers of Kings, towards Lords, or Barons.

The holy Synod cannot but sorely grieve at hearing that certain bishops, forgetful of their own estate, do in no slight manner disgrace the pontifical dignity; comporting themselves with an unseemly kind of servility, both in church and out of it, before the ministers of kings, nobles,⁽¹⁾ and barons; and, as if they were inferior ministers of the altar, not only most unworthily give them place; but even serve them in person. Wherefore, the holy Synod, detesting this and the like behaviour, doth, by renewing all the sacred canons, the General Councils, and

(1) Regulis.

other apostolical ordinances, which relate to the decorum and authority^(v) of the episcopal dignity, enjoin, that henceforth bishops abstain from the like; charging them that, both in church and out of it, having before their eyes their own rank and order, they every where bear in mind that they are fathers and pastors; charging also others, as well princes, as all persons whatsoever, to pay them paternal honour and due reverence.

CHAPTER XVIII.

The Canons shall be exactly observed: if, at any time, a dispensation is to be granted in regard thereof, it shall be done with the most mature deliberation.

As it is expedient for the public good, to relax at times the restraint of the law, thereby more completely to meet, for the common advantage, the cases and necessities which arise; even so, to dispense too often with the law, and to yield to petitioners on account of precedent, rather than upon any certain discrimination in regard of persons and circumstances, is nothing else but to open a way for each one to transgress the laws. Wherefore, be it known to all men, that the most sacred canons are to be exactly observed by all, and, as far as this is possible, without distinction. But if any urgent and just reason, and at times a greater good, shall require that some be dispensed with; this shall be granted, after the cause has been taken cognizance of, and after the most mature deliberation, and gratuitously, by all those soever to whom that dispensation appertains; and any dispensation granted otherwise shall be esteemed surreptitious.

CHAPTER XIX.

Duelling is prohibited under the most severe penalties.

The detestable custom of duelling, introduced by the contrivance of the devil, that by the bloody death of the body, he

(v) Decorem et gravitatem.

may accomplish the ruin of the soul, shall be utterly exterminated from the Christian world. Any emperor, kings, dukes, princes, marquises, counts, and temporal lords by whatsoever other name entitled, who shall grant a place within their territories for single combat between Christians, shall be thereupon(*) excommunicated, and shall be understood to be deprived of jurisdiction and dominion over any city, castle, or place, in or at which they have permitted the duel to take place, which they hold of the church; and if those places be held as a fief they shall forthwith escheat to their direct lords.

As to the persons who have fought, and those who are called their seconds (sponsors), they shall incur the penalty of excommunication, and the confiscation(†) of all their property, and of perpetual infamy, and are to be punished as homicides, according to the sacred canons; and if they have perished in the conflict itself, they shall be for ever deprived of ecclesiastical sepulture. Those also who have given counsel in the case of a duel, whether for the question of right, or fact, or have in any other way whatever persuaded any one thereunto, as also the spectators thereof, shall be subjected to the bond of excommunication, and of a perpetual malediction; any privilege soever, or evil custom, though immemorial, notwithstanding.

CHAPTER XX.

The Immunities, Liberty, and other Rights of the Church are recommended to Secular Princes.

The holy Synod being desirous that ecclesiastical discipline may not only be restored amongst the Christian people, but that it also may be for ever preserved sound and safe from all manner of adverse attempts; besides those things which It has ordained touching ecclesiastical persons, has thought fit, that Secular princes also be admonished of their duty; trusting that they,—as Catholics, whom God hath willed to be the protectors

(*) Eo ipso, by the act itself.

(†) Proscriptionis, forfeiture.

of holy faith and church,—will not only grant that to the church her own right be restored, but will also recall all their own subjects to due reverence towards the clergy, parish priests, and the superior orders; nor permit that their officers, or inferior magistrates, through any spirit of covetousness, or any heedlessness, violate that immunity of the church and of ecclesiastical persons, which, by the ordinance of God, and by the appointments of the canons has been established; but (see) that they render, conjointly with the princes themselves, due observance to the sacred constitutions of Sovereign Pontiffs and of Councils.

It ordains, therefore, and enjoins, that the sacred canons, and all the General Councils, as also all other apostolic ordinances, published in favour of ecclesiastical persons, of the liberty of the Church, and against the violators thereof,—all which It also renews by this present decree,—be exactly observed by all men. And for this cause It admonishes the emperor, kings, republics, princes, and all and each of whatsoever state and dignity they be, that, the more bountifully they are adorned with temporal goods, and with power over others, the more religiously should they respect whatsoever is of ecclesiastical right, as belonging especially to God, and as being under the cover of His protection; and that they suffer not such to be injured by any barons, nobles,^(y) governors, or other temporal lords, and above all by their own immediate officers; but punish those severely, who obstruct her liberty, immunity, and jurisdiction; being themselves an example to them in regard of piety, religion, and the protection of the churches, in imitation of those most excellent and religious princes their predecessors, who not only defended from all injury from others, but, by their authority and munificence, in a special manner advanced the interests of their own church. Wherefore let each one herein discharge his duty carefully; that so the divine worship may be devoutly celebrated, and prelates and other clerics remain, quietly and without hindrances, in their own residences and in the discharge of their duties, to the profit and edification of the people.

(y) Domicellis.

CHAPTER XXI.

In all things the authority of the Apostolic See shall remain untouched.

Lastly, the holy Synod declares, that all and singular the things which, under whatsoever clauses and words, have been ordained in this sacred Council, in the matter of reformation of morals, and ecclesiastical discipline, as well under the Sovereign Pontiffs, Paul III., and Julius III., of happy memory, as under the most blessed Pius IV., have been so decreed, as that the authority of the Apostolic See both is, and is understood to be, untouched thereby.

DECREE FOR CONTINUING THE SESSION ON THE FOLLOWING DAY.

Whereas all those things which had to be treated of in the present Session cannot, because of the lateness of the hour, be conveniently despatched; therefore, according as was resolved on by the Fathers in general congregation, the things which remain are deferred till to-morrow, in continuation of this same Session.

CONTINUATION OF THE SESSION,

On the fourth day of December.

DECREE CONCERNING INDULGENCES.

Whereas the power of conferring Indulgences was granted by Christ to the Church; and she has, even in the most ancient times, used the said power,⁽²⁾ delivered unto her of God; the sacred holy Synod teaches, and enjoins, that the use of Indulgences, for the Christian people most salutary, and approved of

(2) Hujusmodi potestate, this kind of power.

by the authority of sacred Councils, is to be retained in the Church; and It condemns with anathema those who either assert, that they are useless; or who deny that there is in the Church the power of granting them. In granting them, however, It desires that, in accordance with the ancient and approved custom in the Church, moderation be observed; lest, by excessive facility, ecclesiastical discipline be enervated. And being desirous that the abuses which have crept therein, and by occasion of which this honourable^(*) name of Indulgences is blasphemed by heretics, be amended and corrected, It ordains generally by this decree, that all evil gains for the obtaining thereof,—whence a most prolific cause of abuses amongst the Christian people has been derived,—be wholly abolished. But as regards the other abuses which have proceeded from superstition, ignorance, irreverence, or from whatsoever other source, since, by reason of the manifold corruptions in the places and provinces where the said abuses are committed, they cannot conveniently be specially prohibited; It commands all bishops, diligently to collect, each in his own church, all abuses of this nature, and to report them in the first provincial Synod; that, after having been reviewed by the opinions of the other bishops also, they may forthwith be referred to the Sovereign Roman Pontiff, by whose authority and prudence that which may be expedient for the universal Church will be ordained; that thus the gift of holy Indulgences may be dispensed to all the faithful, piously, holily, and incorruptly.

ON CHOICE OF MEATS; ON FASTS, AND FESTIVAL DAYS.

The holy Synod furthermore exhorts, and, by the most holy advent of our Lord and Saviour, conjures all pastors, that, like good soldiers, they sedulously recommend to all the faithful all those things which the holy Roman Church, the mother and

(*) Insigne, excellent.

mistress of all churches, has ordained, as also those things which, as well in this Council, as in the other œcumenical Councils, have been ordained, and to use all diligence that they be observant of all thereof, and especially of those which tend to mortify the flesh, such as the choice of meats, and fasts; as also those which serve to promote piety, such as the devout and religious celebration of festival days; often admonishing the people to obey those set over them (Heb. xiii. 17), whom they who hear, shall hear God as a rewarder, whereas they who condemn them, shall feel God himself as an avenger.

ON THE INDEX OF BOOKS; ON THE CATECHISM, BREVIARY,
AND MISSAL.

The sacred and holy Synod, in the second Session celebrated under our most holy lord, Pius IV., commissioned certain chosen Fathers to consider what ought to be done touching various censures, and books either suspected or pernicious, and to report thereon to the said holy Synod; hearing now that the finishing hand has been put to that labour by those Fathers; which, however, by reason of the variety and multitude of books cannot be distinctly and conveniently judged of by the holy Synod; It enjoins that whatsoever has been by them done shall be laid before the most holy Roman Pontiff, that it may be by his judgment and authority terminated and made public. And it commands that the same be done in regard of the Catechism, by the Fathers to whom that work was consigned, and as regards the missal and breviary.

ON THE PLACE OF AMBASSADORS.

The holy Synod declares, that, by the place assigned to ambassadors, as well Ecclesiastics as Seculars, whether in Session, procession, or in any other acts whatsoever, no prejudice has been created in regard of any amongst them; but that all their

own rights and prerogatives, and those of their own emperor, kings, republics, and princes are uninjured and untouched, and continue in the same state as they were before the present Council.

ON RECEIVING AND OBSERVING THE DECREES OF THE COUNCIL.

So great has been the calamitousness of these times, and such the inveterate malice of the heretics, that there has been nothing ever so clear in our statement of faith, nothing so surely settled, which they, at the instigation of the enemy of the human race, have not defiled by some sort of error. For which cause the holy Synod hath made it Its especial care to condemn and anathematize the principal errors of the heretics of our time, and to deliver and teach the true and Catholic doctrine; even as It has condemned, and anathematized, and decreed.

And whereas so many bishops, summoned from the various provinces of the Christian world, cannot be absent for so long a time without great loss to the flock entrusted to them, and without universal danger; and whereas no hope remains that the heretics, after being so often invited, even with the public faith which they desired, and after being so long expected, will come hither later; and it is therefore necessary to put an end at length to the sacred Council: it now remains for It to admonish in the Lord all princes, as It hereby does, so to afford their assistance as not to permit the things which It has decreed to be corrupted or violated by heretics; but that they be by them and all others devoutly received, and faithfully observed. And should any difficulty arise in regard of receiving those decrees, or should anything be met with, which it does not believe, requiring explanation or definition, the holy Synod trusts that, besides the other remedies appointed in this Council, the most blessed Roman Pontiff will make it his care that, for the glory of God and the tranquillity of the Church, the necessities of the provinces be provided for, either by summoning, particularly out of the provinces where the difficulties shall have arisen, those

persons whom he shall deem it expedient (to employ) in treating of the said matters; or even by the celebration of a general Council, if he judge it necessary; or in such other way as shall seem to him most suitable.

ON RECITING, IN SESSION, THE DECREES OF THE COUNCIL
UNDER PAUL III. AND JULIUS III.

Forasmuch as, at divers times, as well under Paul III., as under Julius III., of happy memory, many things have, in this sacred Council, been ordained and defined touching dogmas and reformation of manners; the holy Synod wills that they be now recited and read.

They were recited.

ON THE CLOSE OF THE COUNCIL, AND ON SUING FOR CONFIRMATION FROM OUR MOST HOLY LORD.

Most illustrious lords and most reverend Fathers, doth it please you, that, to the praise of Almighty God, an end be put to this sacred œcumenical Synod? and that the confirmation of all and singular the things which have therein been decreed and defined, as well under the Roman Pontiffs, Paul III., and Julius III., of happy memory, as under our most holy lord Pius IV., be requested, in the name of this holy Synod, by the presidents, and the Legates of the Apostolic See, from the most blessed Roman Pontiff?

They answered: It pleaseth us.

Afterwards, the most illustrious and most reverend Cardinal Morone, the first Legate and President, blessing the holy Synod said: After having given thanks to God, most reverend Fathers, go in peace.

They answered: Amen.

ACCLAMATIONS OF THE FATHERS AT THE CLOSE OF THE
COUNCIL.

The Cardinal of Lorraine. To the most blessed Pius, Pope, and our lord, pontiff of the holy and universal Church, many years and eternal memory.

Answer of the Fathers. O Lord God, do Thou very long preserve the most holy Father to thy church: for many years.

The Cardinal. To the souls of the most blessed Sovereign Pontiffs, Paul III., and Julius III., by whose authority this sacred general Council was begun, peace from the Lord, and eternal glory, and happiness in the light of the saints.

Answer. Be their memory in benediction.

The Cardinal. Of the Emperor Charles the Fifth, and of the most serene kings, who have promoted and protected this universal Council, be the memory in benediction.

Answer. Amen, Amen.

The Cardinal. To the most serene Emperor Ferdinand, ever august, orthodox, and pacific, and to all our kings, republics, and princes, many years.

Answer. Preserve, O Lord, the pious and Christian emperor: Oh, Heavenly Emperor, protect earthly kings, the preservers of the right faith.

The Cardinal. To the Legates of the Apostolic Roman See, and presidents in this Synod, many thanks and many years.

Answer. Many thanks: the Lord reward them.

The Cardinal. To the most reverend cardinals, and most illustrious ambassadors.

Answer. Many thanks; many years.

The Cardinal. To the most holy bishops, life, and a happy return to their own churches.

Answer. To the heralds of truth perpetual memory; to the orthodox senate many years.

The Cardinal. The sacred and holy œcumenical Synod of Trent: let us confess the faith thereof; let us ever keep the decrees thereof.

Answer. Ever let us confess, ever keep.

The Cardinal. We all thus believe; we all think the very same; we all, consenting and embracing (them), subscribe. This is the faith of blessed Peter, and of the apostles: this is the faith of the Fathers: This is the faith of the Orthodox.

Answer. Thus we believe; thus we think; thus we subscribe.

The Cardinal. To these decrees adhering may we be made worthy of the mercies and grace of the first and great supreme priest, Jesus Christ God; our inviolate Lady, the holy mother of God, also interceding, and all the saints.

Answer. So be it: so be it. Amen, Amen.

Cardinal. Anathema to all heretics.

Answer. Anathema, anathema.

After this, it was enjoined on all the Fathers, by the Legates and presidents, under pain of excommunication, that, before departing from the city of Trent, they should subscribe with their own hand the decrees of the Council, or approve thereof by some public instrument; all of whom subsequently subscribed, and they were in number CCLV; to wit, four legates, two cardinals, three patriarchs, twenty-five archbishops, one hundred and sixty-eight bishops, seven abbots, thirty-nine proctors of absent (prelates) with lawful commission, seven generals.

Praise be to God.

It agrees with the original: in faith whereof we have subscribed:

I, Angelus MASSARELLI, bishop of Telesia, secretary of the sacred Council of Trent.

I, Marcus Antonius PEREGRINUS, of Como, notary of the said Council.

I, Cynthus PAMPHILUS, clerk of the diocese of Camerino, notary of the said Council.

CONFIRMATION OF THE COUNCIL.

We, Alexander di Farnese, cardinal-deacon of Saint Lawrence in Damaso, vice-chancellor of the holy Roman Church,

do certify and attest, that, on this day, being Wednesday, the twenty-sixth of January, MDLXIV, in the fifth year of the pontificate of our most holy lord Pius IV., by the providence of God, Pope, the most reverend my lords, the cardinals Morone and Simonetta, lately returned from the sacred Council of Trent, whereat they had presided as Legates of the Apostolic See, did, in a secret consistory, held at St. Peter's, petition our said most holy lord as follows :

Most blessed Father ; in a decree, concerning the closing of the œcumenical Council of Trent, published the day before the nones of December last,^(b) it was ordained, that, through the presidents and Legates of your Holiness, and of the holy Apostolic See, confirmation should be requested from your Holiness, in the name of the said Council, of all and singular the things which were therein decreed and defined, as well under Paul III., and Julius III., of happy memory, as under your Holiness. Wherefore, we, John, Cardinal Morone, and Louis, Cardinal Simonetta, who were then Legates and presidents, wishing to execute what was appointed in that decree, do humbly petition in the name of the said œcumenical Council of Trent, that your Holiness would vouchsafe to confirm all and singular the things which have therein been decreed and defined, as well under Paul III., and Julius III., of happy memory, as under your Holiness.

Upon hearing which, his Holiness, having looked at and read the tenour of the said decree, and having taken the advice of the most reverend lords, the cardinals, replied in these words : Acceding to the petition made to us, by the Legates aforesaid, in the name of the œcumenical Council of Trent, touching the confirmation thereof, We, with apostolic authority, and with the advice and assent of our venerable brethren the cardinals, having previously had a mature deliberation with them, do confirm all and singular the things which have been decreed and defined in the said Council, as well under Paul III., and Julius III., of happy memory, as during the time of our pontificate ; and we

(b) December 4th.

command that the same be received and inviolably observed by all the faithful of Christ; In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

So it is.

A. Cardinal FARNESE,
Vice-Chancellor.

BULL OF OUR MOST HOLY LORD PIUS IV., BY THE PROVIDENCE OF GOD, POPE, TOUCHING THE CONFIRMATION OF THE ŒCUMENICAL (AND) GENERAL COUNCIL OF TRENT.

Pius, bishop, servant of the servants of God, for the perpetual memory hereof.

Blessed be the God, and Father of our Lord Jesus Christ, the Father of mercies, and the God of all comfort, (c) who hath vouchsafed to look down upon His holy Church, agitated and tossed by so many storms and tempests, and, whilst it was day by day more sorely distressed, hath at length brought relief thereunto by a suitable and wished-for remedy. To extirpate very many and most pernicious heresies, to correct manners, and to restore ecclesiastical discipline, to procure the peace and concord of the Christian people, an œcumenical and general Council had been, a long time previously, indicted by our predecessor, Paul III., of pious memory, and had been begun by holding several Sessions. Having been, by his successor, recalled to the same city, the Council, after several Sessions had been celebrated, could not, on account of various impediments and difficulties which supervened, be even then brought to a conclusion: it was, therefore, for a long time interrupted, not without the greatest grief on the part of all persons of piety, whilst the Church daily more and more implored that remedy. But we, upon having entered upon the government of the Apostolic See, undertook to accomplish so necessary and salutary a work, even as our pastoral solicitude admonished us;

(c) 2 Cor. i 3.

trusting in the Divine Mercy, and aided by the pious zeal of our most beloved son in Christ, Ferdinand, Emperor elect of the Romans, and by that of other Christian kings, republics, and princes, we have at length attained to that which we have not ceased to labour after by daily and nightly watchfulness, and which we have assiduously besought of the *Father of lights*.^(d) For whereas a most numerous assembly of bishops and of other distinguished prelates, and one worthy of an oecumenical Council, had, upon being convoked by our letters, and impelled also by their own piety, been gathered together from all sides out of the nations of Christendom, at the said city ; together with whom were very many other persons of piety, pre-eminent for skill in sacred letters, and knowledge of divine and human law ; the Legates of the Apostolic See presiding in the said Synod ; ourselves so favourable to the liberty of the Council, as even to have, by letters written to our Legates, voluntarily left the said Council free to determine concerning matters properly reserved to the Apostolic See ; such things as remained to be treated of, defined, and ordained, touching the sacraments and other matters, which seemed to be necessary for confuting heresies, removing abuses, and amending morals, were by the sacred and holy Synod, with the most perfect liberty and diligence, treated of, and accurately and most deliberately defined, explained, and ordained, which being completed, the Council was brought to a close with so great unanimity on the part of all who assisted thereat, that it was plain that such agreement was *the Lord's doing, and it was very wonderful in our eyes*, and those of all.^(e) For which so singular a bounty, We at once appointed solemn processions in this good city, which were assisted at with great piety by the clergy and people ; and We made it our care that the thanksgivings so justly due should be paid to the divine majesty ; forasmuch as the issue of that Council has brought with it a great and well nigh assured hope that greater fruits will day by day be derived unto the Church from the decrees and constitutions thereof.

(d) James i. 17.

(e) Ps. cxvii. 3.

And whereas the said holy Synod, in its reverence towards the Apostolic See, and following also in the traces of the ancient Councils, has, in a decree made thereon in public Session, requested of us the confirmation of all Its decrees, passed in our time and that of our predecessors ; We, being made acquainted with the request of the said Synod, first by the letters of our Legates, then, upon their return, by what they diligently reported in the name of the Synod ; after mature deliberation had thereon with our venerable brethren the cardinals of the holy Roman Church, and, above all, having invoked the assistance of the Holy Spirit ; after that we had ascertained that all those decrees were Catholic, and useful and salutary to the Christian people, We, to the praise of Almighty God, with the advice and assent of our brethren aforesaid, have this day, in our secret consistory, confirmed by Apostolic authority all and singular those decrees, and have ordained that the same be received and observed by all the faithful of Christ ; as also, for the clearer information of all men, We do, by the tenour of this letter, confirm them, and ordain that they be received and observed.

And, in virtue of holy obedience, and under the penalties by the sacred canons appointed, and others more grievous, even those of deprivation, to be inflicted at our discretion, We do also command all and each of our venerable brethren, the patriarchs, archbishops, bishops, and all other prelates whatsoever of the churches, of what estate, grade, order and dignity soever, they may be, even though distinguished with the honour of the cardinalate, diligently to observe the said decrees and statutes in their own churches, cities, and dioceses, both in their courts of justice and elsewhere, and to cause the same to be inviolably observed, each by his own subjects, in so far as they are in any way concerned therein ; silencing gainsayers, and the refractory, by means of judicial sentences, and by the censures also and ecclesiastical penalties contained in the said decrees ; calling in also, if need be, the help of the secular arm. And, by the bowels of the mercy of our Lord Jesus Christ, We admonish and conjure our said most beloved son the emperor elect, and the Christian kings, republics, and princes, with that piety with which they assisted, by their ambassadors, at the Council, with

the same piety and equal zeal, for the sake of God's honour, and the salvation of their people, in reverence also towards the Apostolic See, and the sacred Synod, to support, when needful, with their assistance and countenance, the prelates in executing and observing the decrees of the said Council; and not to permit opinions adverse to the sound and salutary doctrine of the Council to be received by the people who are under their sway, but utterly to interdict such.

Furthermore, in order to avoid the perversion and confusion which might arise, if each one were allowed, as he might think fit, to publish his own commentaries and interpretations on the decrees of the Council; We, by apostolic authority, forbid all men, as well ecclesiastics, of whatsoever order, condition, and rank they may be, as also laymen, with whatsoever honour and power invested; prelates, to wit, under pain of being interdicted from entering the church, and all others whomsoever they be, under pain of excommunication incurred by the fact, to presume, without our authority, to publish, in any form, any commentaries, glosses, annotations, scholia, or any kind of interpretation whatsoever of the decrees of the said Council; or to settle anything in regard thereof, under any plea whatsoever, even under pretext of greater corroboration of the decrees, or the more perfect execution thereof, or under any other colour whatsoever. But if anything therein shall seem to any one to have been expressed and ordained in an obscure manner, and it shall appear to stand in need on that account of an interpretation or decision, let him *Go up to the place which the Lord hath chosen*; ⁽¹⁾ to wit, to the Apostolic See, the mistress of all the faithful, whose authority the holy Synod also has so reverently acknowledged. For, if any difficulties and controversies shall arise in regard of the said decrees, We reserve them to be by Us cleared up and decided, even as the holy Synod has Itself in like manner decreed; being prepared, as that Synod has justly expressed Its confidence in regard of Us, to provide for the necessities of all the provinces, in such manner as shall

(1) Deut. xvii. 8.

seem to Us most suitable ; declaring that whatsoever may be attempted to the contrary in this matter, whether wittingly or unwittingly, by any one, by what authority soever, is, notwithstanding, null and void. And that these things may come to the knowledge of all men, and that no one may use the excuse of ignorance ; We will and ordain, that, in the Vatican Basilica of the prince of the apostles, and in the Lateran church, at the time when the people is wont to assemble there to be present at the solemnization of masses, this letter be publicly read in a loud voice by certain officers of our court ; and that, after having been read, it be affixed to the doors of those churches, and also to the gates of the Apostolic Chancery, and to the usual place in the Campo di Fiore ; and be there left for some time, to be read by and to come to the knowledge of all men. And when removed thence, copies being, according to custom, left in those same places, it shall be committed to the press in our good city, that so it may be more conveniently made known throughout the provinces and kingdoms of the Christian name. And we ordain and decree, that, without any doubt, faith be given to copies thereof written or subscribed by the hand of a public notary, and guaranteed by the seal and signature of some person constituted in ecclesiastical dignity. Let no one, therefore, infringe this our letter of confirmation, monition, inhibition, reservation, will, mandate, and decree, or with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His blessed Apostles, Peter and Paul. Given at Rome, at Saint Peter's, in the year of the Lord's Incarnation One thousand five hundred and sixty-four, on the seventh of the calends of February,^(e) in the fifth year of our pontificate.

(e) January 26th.

THE NAMES, SURNAMEs, COUNTRY, AND DIGNITY,

Of the LEGATES, and other FATHERS, as also of the AMBASSADORS and THEOLOGIANs, who were present, at all, or any of, the first ten Sessions, held under Paul III., from the 13th of December, 1545, to the 2nd of June, 1547.

(From Le Plat's edition of the Council of Trent, p. 89—102. Antwer. 1779.)

Sacri concilii presidentes S. R. E. cardinales et apostolici de latere legati.

Rmus. et Illmus. D. Joannes Maria, episcopus Prænестinus de monte Aretinus. Prius archiep. Sipontinus et gubernator urbis. Interf. con. Lateran. Sub Leone X. Summus Pontifex sub Julii III. nomine 8 Feb. 1550. Obiit Romæ, 23 Martii, 1555; sepult. est in Vatic.

Rmus. et Illmus. D. Marcellus, tituli S. Crucis in Jerusalem presbyter, Cervinus: Politianus. Ep. Eugubiensis, elect. Pon-

tiff. 9 Aprilis, 1555. Sub Marcelli II. nomine. Obiit Romæ, 30 Aprilis, 1555; sepult. est apud S. Petrum.

Rmus. et Illmus. D. Reginaldus Polus, Anglus, tituli S. Mariæ in Cosmedin diaconus. Dein tit. S. Priscæ presb. card., legatus apost. Angliæ, archiep. Cantuar. Recessit ante quintam sess. Obiit 15 Decemb. 1558, post 16 horas ab obitu Mariæ reginæ, ejus affinis.

Cardinales non legati

Rmus. et Illmus. D. Christophorus Marducius, Tridentinus, tit. S. Cæsarei in palatio presbyter cardinalis, et episcopus Tridentinus et administrator Brixiensis. Cardin. creatus 31 Maii, 1542, proclamatus 19 Decemb. 1544, Dein episc. Albanus, Sabinensis, Prænестinus ac Portuensis. Post quintam session. non comparuit in concilio. Dein Tiburt. episc. Obiit 5 Julii, 1578; sepult. est Romæ in sacello gentilitio S. Onuphrii. Fuerat pro Carolo V. Imperat. vicar. gen. ducatus Mediolanensis.

Rmus. et Illmus. D. Petrus Paceus, Hispanus, sanctæ Romanæ ecclesiæ presbyter cardinalis, et episcopus Giennensis. Card. creatus ante 2 sess., 16 Decemb. 1545. Tridenti semper præsens. Fuit episcopus Seguntinus, Mindoniensis, Civitatis, Pampeloniensis. Tandem prorox Neapolitanus pro Carolo V. Imperat. et Philippo II. ejus filio, 1554. Obiit Romæ, 4 Mart. 1560.

Oratores Caroli V. Cæsaris, Hispaniarum regis, &c.

Illust. D. Didacus Hurtadus de Mendoza, Hispanus. Fuit in quarta sess. tantum. Obiit 1575.

Illust. D. Franciscus Alvarez de Toledo, Hispanus. Fuit in tertia et quarta sess.

Oratores regis Christianissimi.

Ill. D. Claudius Dufé, Gallus, Forensium præfectus.

D. Jacobus de Ligneris, Gallus. Tertio inquisitoriarum senat. Paris. classium præses, postea infulatus præses ibid. Obiit Paris, 1 Aug. 1550.

D. Petrus Danes, Parisiensis. Suzennarum præpositus: principis Delphini Francisci II. postea præceptor ac episc. Vaurensis.

Oratores Ferdinandi, Rom. Bohemiæ et Hungariæ regis.

III. D. Franciscus a Castelalto, Germanus.

Magnificus D. Antonius Queta, J.V.D., Tridentinus. Hi fuerunt præsentés us-

que ad tertiam orationem inclusive.

III. D. Wolfgangus comes de Salm, Germanus, episcopus Passaviensis. A Spondano notatus.

Archiepiscopi.

R. D. Andreas Cornelius, Venetus, archiepiscopus Spalatrensis. Fuit Andr. arch. Spalatrensis nepos: 23 ann. natus Brixie administravit 3 Maii, 1532. Obiit Romæ, 1551, cardin. tit. S. Theodori.

R. D. Antonius Sitholi de Genaco, Gallus, archiepiscopus Aquensis. Fuerat coadjutor Petri patris 1532. Acta concilii collegit usque ad obitum Pauli III. Electus 1541. Obiit 2 Decemb. 1550.

R. D. Salvator Alexius Sassarus, Hispanus, archiepiscopus Turritanus.

R. D. Ludovicus Chierigatus, Vicentinus, archiepiscopus Antibarensis.

R. D. Jacobus Cauchus, Venetus, archiepiscopus Corcyrensis. Elect. 7 April. 1529. Obiit 1560.

R. D. Joannes Michael Sarracenus, Neapolitanus, archiepiscopus Materanus

et Acheruntinus. Elect. 8 Jul. 1531. Obiit card. episc. Sabinensis 27 Apr. 1563.

R. D. Franciscus Bandinus, Senensis, archiepiscopus Senensis. Elect. 7 April. 1529. Obiit 1558.

R. D. Sebastianus Lecavela, Græcus, archiep. Naxiensis et Pariensis. Elect. 1540. Obiit 15 Novemb. 1566; ætat. 55.

R. D. Olaus Magnus, Gothus, archiepiscopus Upsalensis.

R. D. Petrus Tagliavia, Siculus, archiepiscopus Panormitanus. Obiit Panormi, 5 August. 1558.

R. D. Robertus Vaucop, Scotus, archiepiscopus Armachanus. Elect. 1541. Obiit 1551.

R. D. Julius Contarenus, archiepiscopus S. Severini.

Episcopi.

R. D. Marcus Vigerius, Savonensis, episcopus Senogalliensis. Electus 1513. Obiit 1555. Interf. conc. Lateran. sub Leone X. Fier. gub. Picensi, Bonon., Anconens., Parm., Placent. nunt. apost. ad reg. Portug.

R. D. Philus Roverella, Ferrariensis, episcopus Asculanus. Elect. 3 Sept. 1518. Obiit Romæ 1550. Nunt. apost. ad plerosq. principes.

R. D. Philibertus Ferrerius, Hipporegiensis, episcopus Hipporegiensis.

R. D. Thomas de S. Felicio, Neapolitanus, episcopus Cavensis. Electus 14 Mart. 1520. Obiit episcopus Nemausinus 6 Martii, 1585; ætat. 96. Fuerat orator patriæ ad summ. pontif.

R. D. Christophorus de Spiritibus, Viterbiensis, episcopus Casenatensis.

R. D. Jacobus Ponzetus, Neapolitanus, episcopus Malfactensis. 28 Maii, coadjutor-episc. 1528. Ecclesiæ thesauro in redimendis captivis usus est 1533. Episcopat. abdicavit 1553.

R. D. Campegius, Bononiensis, episcopus Feltrensis. Elect. 27 Maii, 1520. Obiit Romæ 2 Januar. 1504; ætat. 72.

R. D. Benedictus de Nobilibus, Lucen-

sis, episcopus Acciensis. Ord. Prædicat. S. Theol. profess. 16 Octob. 1521, gub. Fani 1522. Asculi 1536: suffrag. card. Campeg. Bonon. 1530. Sux ecclesiæ cessit 26 Aug. 1545. Vicar. gener. Brixiens. 1552.

R. D. Quintus de Rusticis, Romanus, episcopus Miletensis. Elect. 17 Jul. 1523. Cessit 1541, dein regressus obiit 1562.

R. D. Ferdinandus Pandolphinus, Florentinus, episcopus Trojanus.

R. D. Alexander Campegius, Bononiensis, episcopus Bononiensis. Elect. 31 Jul. 1541. Obiit 20 Sept. 1554; ætat. 48. Card. 1551.

R. D. Cathalanus Trivultius, Mediolanensis, episcopus Placentinus. Elect. 3 Maii, 1525. Obiit 1559.

R. D. Robertus de Croy, Belga, episcopus Cameracensis. Elect. 1519. Obiit 31 Aug. 1556; sepult. ante alt. B. Mariæ. Erat frater Guil. de Croy cardin. Tolet. et Caroli Tornac. episc. Interfuit conventui pro pace Carolum V. inter et Franciscum I. Edidit const. synodales 1550.

R. D. Antonius de Numai, Foroliviensis, episcopus Aeserniensis. Elect. 24 Decemb. 1524. Obiit 1568.

R. D. Leo Ursinus, Romanus, episcopus Forlivienensis. Elect. 1539. Obiit 2 Maii, 1564.

R. D. Hieronymus Fucherus, Venetus, episcopus Torcellanus. Elect. 16 Maii, 1528. Obiit 2 Jun. 1563; ætat. 57.

R. D. Marcus Antonius Crucius, Tiburtinus, episcopus Tiburtinus. Elect. 17 Januar. 1528. Obiit 1561.

R. D. Lucius Staphyleus, Illyricus, episcopus Sibiricensis. Elect. 1528. Romæ avunculo monumentum erexit in eccles. S. Trinitatis. Ex ejus stirpe extat Jo. Staphyleus, unicus historicus Dalmatiæ et Croatiae.

R. D. Alexander Piccolomineus, Senensis, episcopus Pientinus. Electus 29 Nov. 1528. Obiit 1563.

R. D. Claudius Dodeus, Gallus, episcopus Rhedonensis.

R. D. Gulielmus a Prato, Gallus, episcopus Claromontanus. Elect. 16 Febr. 1528. Obiit 1561. Filius Antonii Cancell. Galliae, ubi Jesuitis a se introductis varia collegia extruxit, statuta Synodalia publicavit. Sepult. in cœnobio Minimorum de Beauceregard, a se fundato.

R. D. Aloysius Pisanus, Venetus, episcopus Patavinus. Elect. 1528. Obiit 31 Maii, 1570. S. R. E. cardin. creatus a Pio IV. Nepos card. Pisani (Francisci) fundavit monast. virginum S. Marci.

R. D. Marcus Antonius Campegius, Bononiensis, episcopus, Grossetanus. Elect. 1527. Obiit 6 Maii, 1553.

R. D. Dionysius Zannetinus, Græcus, episcopus Chironensis et Melipotamenus. Ordin. Minor. de observ. Elect. 27 Aug. 1529.

R. D. Marcus Aligerius de Columna, Reatinensis, episcopus Reatinensis. Elect. 27 Aug. 1529. Obiit 6 Octob. 1555; ætat. 63. Fuit gub. Ancon., Picen., Bonon., Placent., Perusiæque.

R. D. Braccius Martellus, Florentinus, episcopus Fesularum. Elect. 20 Jun. 1530. Obiit episc. Lyciensis, 1564; ætat. 98. Ejus duæ sententiæ, de Prædic. regula non habenda sine licentia episcop., et de episcoporum residentia.

R. D. Coriolanus Martyranus, Neapolitanus, episcopus S. Marci. Elect. 3 Jun. 1530. Obiit 1557. Nonnullas ediderat tragædias: habuit orat. in concilio de corruptis moribus et offensa relig.

R. D. Henricus Soffredus, Neapolitanus, episcopus Caputauquensis. Electus 18 Decemb. 1531. Obiit Trid. in concilio, 1547.

R. D. Hieronymus Vida, Cremonensis, episcopus Albensis. Elect. 6 Febr. 1532. Obiit 27 Sept. 1566.

R. D. Lelius Baruffus de Piiis, Britoriensis, episcopus Sarsinatensis. Elect. 9 Decemb. 1530.

R. D. Joannes Baptista Campegius, Bouoniensis, episcopus Majoricensis. Elect. 6 Febr. 1532. Obiit 7 Apr. 1583; ætat. 76.

R. D. Thaddeus de Pepulis, Bononiensis, episcopus Carinensis.

R. D. Petrus Vorstius, Belga, episcopus Aquensis. Elect. 12 Mart. 1534. Obiit 6 Febr. 1549.

R. D. Eliseus Theodinus, Arpinas, episcopus Soranus. Elect. 24 Apr. 1534. Obiit post 1561.

R. D. Jacobus Cortesius a Prato, Romanus, episcopus Vasionensis. Elect. 1535. Obiit patriarcha Alexandr. post ann. 1570.

R. D. Hieronymus de Theodolis, Foroliviensis, episcopus Gaditanus. Elect. 1527. Floret ejus familia, tit. marchionatus S. Viti exornata.

R. D. Petrus Franciscus Ferrerius, Hipporegiensis, episcopus Vercellensis. Electus 20 Decemb. 1536. Obiit S. R. E. card. 12 Nov. 1566; ætat. 54.

R. D. Georgius Cornelius, Venetus, episcopus Tarvisinus.

R. D. Baltassar Limpus, Portugalienensis, episcopus Portuensis. Ordinis Carmelit. Obiit archiep. Braccarensis 1558.

R. D. Belthasar de Hæredia, Sarduus, episcopus Bosanensis. Ordinis Prædic. Elect. 1536. Dein 1550. Archiep. Calarrit. Obiit 1560.

R. D. Alexander de Ursis, Venetus, episcopus Amoniensis. Elect. 1532. Obiit Romæ 21 Julii, 1561. episc. Justinopol.

R. D. Bernardus Bonjoannes, Romanus, episcopus Cameriniensis. Elect. 5 Mart. 1537. Obiit 12 Sept. 1574.

R. D. Angelus Paschalis, Dalmata, episcopus Motulanus. Ordin. Prædic. Elect. 5 Mart. 1557. Obiit. Neapolit. sepult. in ecclesia S. Cathar. de Formello.

R. D. Joannes Fonseca, Hispanus, episcopus Castellamaris. Elect. 14 Mar.

1537. Obiit 1562. Xenodochiam incurabiliū Neapoli instituit heredem.

R. D. Petrus Bertonus, Mutinensis, episcopus Fanensis. Ord. Prædic. Elect. 28 Nov. 1537. Obiit Romæ 8 Mart. 1558; ætat. 57. Ann. 1555. S. R. E. card. instante Carolo V., ad quem Nunt. Apost. Sepultus est in eccles. S. Sabinae.

R. D. Joannes Campegius, Bononiensis. episcopus Parentinus. Electus 18 Maii, 1537. Dein 1553 episc. Bonon. Obiit 7 Sept. 1563. Fuit prolegatus et gub. Picen. 1560.

R. D. Ludovicus Simonetta, Mediolanensis, episcopus Pisanensis. Elect. 1536. Dein episc. Laudensis et card. creatus 1560.

R. D. Augustinus Steneus, Eugubinus, episcopus Chissamensis. S. R. E. biblioth. 1538. can. reg. S. Salvat. Obiit Eugubii in eccles. S. Ambrosii.

R. D. Tiberius de Mutis, Romanus, episcopus Hieraciensis. Elect. 20 Febr. 1530. Olim canon. basil. S. Petri, dein assistens 9 Mart. 1552. Obiit 1562.

R. D. Georgius Andreacius, Mantuanus, episcopus Rhegiensis. Elect. 7 April. 1544. Olim Clusin. 1538. Legat. Carol. V. ad Clement VII. Obiit Mantuæ 1549.

R. D. Lipomanus, Venetus, episcopus Methonensis, coadjutor Veronensis. Elect. 28 Sept. 1538. Dein episc. Veronensis.

R. D. Philippus Archintus, Mediolanensis, episcopus Salutarum. Electus 24 Mart. 1539. Obiit archiep. Mediolan. Bergami 18 Jun. 1558; ætat. 62. Sepult. est Mediolani in Metropolit. Fuerat vicar. S. D. N. in urbe.

R. D. Vincentius de Durantibus, Brixienensis, episcopus, Thermularum. Elect. 4 Jul. 1539. Obiit Brixie 1570; ætat. 61. Olim datarius.

R. D. Andreas Senttanus, Venetus, episcopus Nemosiensis.

R. D. Joannes Petrus Ferretus, Ravennatensis, episcopus Miletensis. Elect. 4 Febr. 1541: dein 1549, episc. Lavelensis. Obiit Ravennæ 7 Maii, 1557.

R. D. Claudius de la Guishe, Gallus, episcopus Agathensis. Electus 1540. Dein 7 Aug. 1547, episc. Mirapincensis. Obiit Romæ regis Christian. orator 1556. Erat filius Petri Tornini de la Guishe et de Chaumont, reg. Cambelani, pronepos Georg. card. de Ambasia,

orator regis ad regem Lusitaniæ et ad summ. pontificem.

R. D. Fabius Mignanellus, Senensis, episcopus Lucerinus. Elect. 15 Nov. 1540: dein 1553, episc. Grossetanus. S. R. E. card. 20 Decemb. 1551. Obiit Romæ 10 Aug. 1557; ætat. 67.

R. D. Joannes de Salazar de Burgo, Hispanus, episcopus Lancianensis. Elect. 30 Apr. 1540. Obiit in Hispan. 12 Sept. 1555.

R. D. Hieronymus de Bononia, Siculus, episcopus Syracusanus. Obiit in patria 16 Julii, 1560.

R. D. Ægidius Falsetta, Cingulanus, episcopus Caprulanus. Elect. 11 Mart. 1541: dein 1563, episc. Bretinoriensis. Fuit gub. Genuæ. Obiit 1 Julii, 1565.

R. D. Richardus Patus, Anglus, episcopus Vigorniensis. Elect. 1534. Obiit 1559.

R. D. Petrus Ghinutius, Senensis, episcopus Cavelllicensis. Electus 20 Jul. 1541. Frater German. card. S. Clementis, rector ecclesiæ S. Mariæ de Montemauro, diocesis S. Papuli.

R. D. Cornelius Mussus, Placentinus, episcopus Bituntinus. Ordin. minor. convent. Elect. 1541. Obiit Romæ 9 Jan. 1574; ætat. 63.

R. D. Marcus Maliperius, Venetus, episcopus Corsulanus. Elect. 1540.

R. D. Jacobus Jacobellus, Romanus, episcopus Bellicastrensis. Elect. 5 Maii, 1542. Obiit post 1252.

R. D. Franciscus de Navarra, Hispanus, episcopus Pacensis. Elect. 1541. Obiit archiep. Valentinus 16 April. 1563. Fuit Pampilon. inquisitor, Caroli V. consiliarius.

R. D. Didacus de Alava, Hispanus, episcopus Asturicensis. Dein Abulensis ac Cordubensis episc. Obiit Cordubæ 17 Mart. 1562.

R. D. Alvarus della Quadra, Rosanensis. episcopus Venusinus. Ordin. Prædic. Elect. 11 Decemb. 1542, episc. S. Leonis. Obiit episc. Cavensis Romæ 9 Mart. 1571; ætat. 70. Sepult. ad S. Mariam supra Minervam.

R. D. Julius Contarenus, Venetus, episcopus Bellunenensis. Elect. 11 Sept. 1542. Obiit 1575.

R. D. Galeatius Florimontius, Snessanus, episcopus Aquinatensis. Elect. 27 Apr. 1543. Dein 22 Octob. 1551, episc. Snessanus. Obiit 1597; ætat. 89.

R. D. Petrus de Augustinis His-

panus, episcopus Oscensis. Elect. 16 Aug. 1513.

R. D. Philippus Bonus, Venetus, episcopus Famaugustensis. Elect. 29 Octob. 1543. Papæ notarius et familiaris.

R. D. Joannes Baptista Cicada, Januensis, episcopus Albiganensis. Elect. 1538. Obiit Romæ cardin. S. Sabinae 8 April. 1570.

R. D. Thomas Stella, Venetus, episcopus Salpensis. Ordin. Prædic. Elect. 9 Mart. 1544. Dein 1547, episc. Lavalensis, et 1549, Justinopolit. Obiit 1566.

R. D. Joannes Bernardus Diaz, Hispanus, episcopus Calaguritanus. Elect. 1544. Obiit 1556.

R. D. Jacobus Nadantes, Florentinus, episcopus Clodiensis. Obiit Clodii 24 April. 1569.

R. D. Victor Superantius, Venetus, episcopus Bergomensis. Cubicul. secr. Clementis VII. 8 Julii, 1544. Dein 9 Aug. 1547, coadjut. card. Bemb. Interiit in patria 26 Decemb. 1572.

R. D. Berengarius Gombau, Hispanus, episcopus Calvensis. Elect. 27 Octob. 1544, Cant. Valent. Obiit 1551.

R. D. Franciscus Galeanus, Florentinus, episcopus Pistoriensis.

R. D. Gregorius Castagnola, Græcus, episcopus Miletensis. Elect. 6 Nov. 1545. Ord. Prædic. S. T. professor. Recessit ex Bonon. iturus Romam 10 Maii, 1549.

R. D. Petrus Donatus Cæsius, De Cæsis, episcopus Narniensis. Elect. 21 Jun. 1546. Obiit Romæ 28 Sept. 1586; ætat. 65. S. R. E. cardin.

R. D. Philippus Roccabella, Recanatisensis, episcopus Mauratisensis. Elect. 27 Jan. 1546. Obiit 1565.

Procuratores Absentium Episcoporum.

R. D. Michael Aldinus, Germanus, episcopus Sidorienensis. Suffragan et procur. Illust. D. Roberti, tit. S. Petri ad vincula presb. S. R. E. cardin. archiep. Moguntini, S. R. J. electoris.

R. P. Ambrosius Pelargus, Germanus. Ordin. Prædic. procurat reverendiss. D. Joann. ab. Isenberg, archiep.

R. D. Camillus Peruscus, Romanus, episcopus Alatrinus 22 Apr. 1547, cleric. miles S. Petri. Obiit 1573. Scriptit de divitiis et paupertate librum Romæ editum 1556.

R. D. Antonius de Cruce, Hispanus, episcopus Canariensis.

R. D. Camillus Mentuatus, Placentinus, episcopus Satrianensis. Elect. 14 Nov. 1544. Olim guber. Fani 154—, Bon. 1547, proleg. Macer. 1554, gub. Piceni 1556. Obiit 1560.

R. D. Sebastianus Pighinus, Rhegiensis, episcopus Alliphanus. Elect. 22 Aug. 1546.

R. D. Ambrosius Catharinus Politus, Senensis episcopus Minoricensis. Ordin. Prædicat. Elect. 27 Aug. 1546. Obiit archiep. Comp. Neopoli 8 Nov. 1553; ætat. 70.

R. D. Pompejus de Zambeccaris, Boniensis, episcopus Sulmonensis. Elect. 1546. Obiit 8 Aug. 1571. Fuit pronot. apost. commendæ hospital. S. Spiritus, nunt. apost. ad regem Portugalliæ 1560.

R. D. Peregrinus Fabius, Bononiensis, episcopus Viestensis.

R. D. Antonius de Camera, episcopus Belliciensis. Elect. 20 Nov. 1538. Obiit 1576.

R. D. Georgius Cosella, Græcus, episcopus Miletensis. Ord. Prædic. Elect. 6 Nov. 1545.

R. D. Jacobus Spiphame, Gallus, episcopus Nivernensis. Elect. 5 Maii. 1546. Hic ann. 1559, ducta concubina ad hæreticos Genevenses transfugit, ibiq. tanquam explorator capite truncatus est 25 Mart. 1565.

Trevirensis, S. R. J. electoris. Obiit Treviris, 1557.

R. P. Jayus, Sabaudus. Soc. Jes. procurat. reverendiss. et illust. D. Ottonis Truchses, S. R. J. cardin. et episc. Augustensis. Obiit Viennæ Austriæ 6 Aug. 1552.

Abbates.

R. D. Isidorus Clarus, Brixiensis, abbas Pontidæ Bergomensis. Obiit Fulginis 18 Mart. 1555, sepult. ibid. in cathedrali.

R. D. Chrysostomus Gimilianensis,

Calaber, abbas S. Trinit. de Cajeta. Obiit 21 Octob. 1575.

R. D. Lucianus de Othonibus, Mantuanus, abbas Pomposi Ferrariensis.

Generales Ordinum.

R. P. Franciscus Romæus, Aretinus, generalis ordinis Prædicatorum. Generalis 45, elect. Romæ 1546. Obiit ibidem 20 Julii, 1552, ætat. 61.

R. P. Joannes Calvus, Corsus, generalis ord. Minorum de observ. Elect. 1541. Obiit Trid. 2 Jan. 1547, sepult. in eccles. S. Bernardini.

R. P. Bonaventura Pius, Costaccarius, generalis ord. Minorum Conventualium. Elect. 1543. Anconæ obiit episc. Aquisanis 1558.

R. P. Hieronymus Seripandus, Neapolitanus, generalis ord. Eremitarum

S. Augustini. Elect. Neapoli 24 Maii, 1539. Dein 1554 archiep. Salernitanus, et 26 Feb. 1561 S. R. E. cardin. presb. Conc. Trid. sub Pio IV. præses, legatus a latere. Obiit Trid. 17 Mart. 1563, et ibi sepult. in eccles. S. Marci, ordin. F. F. Eremit. S. Augustini.

R. P. Nicolaus Audetus, Cyprius, generalis ord. Carmelitarum. Rexit ann. 38. Obiit Florentiæ 7 Decemb. 1562.

R. P. Augustinus Bonucius, Aretinus, generalis ord. S. Mariæ Servorum.

Theologi et Juris Doctores a Paulo III missi.

D. Sebastianus Pighinus, Rhegiensis, auditor rotæ. Post, episc. Alyphan. et archiep. Sipontinus, ann. 1551, præses Conc. Trid., S. R. E. cardin. 30 Maii, 1552. Obiit 1 Decemb. 1553; ætat. 53.

D. Hugo Boncompagnus, Bononiensis, abbreviator. Post, S. R. E. cardin. et pont. max. sub Gregorii XIII. nomine. Obiit 10 Apr. 1585.

D. Achilles de Grassis, Bononiensis,

auditor rotæ. Post, 21 Aug. 1551 episc. Montis-Phisconensis. Obiit Romæ 8 Aug. 1558, sepult. ad S. Mariam trans Tyberim.

Alphonsus Salmeron, Hispanus, presbyter Soc. Jesu. Obiit Neapoli 15 Febr. 1585; ætat. 69.

Jacobus Laynez, Hispanus, Soc. Jesu. Post, præposit. gener. Societ. Obiit Romæ 19 Jan. 1565.

Theologi a Cesare missi.

Dominicus Soto, Hispanus, ord. Prædic. Carolo V. a confessionibus.

F. Bartholomæus Carranza, Hispanus, ordinis Prædicatorum. Post, 1557, archiep. Toletanus. Obiit Romæ 2 Maii, 1576; ætat. 73. Habuit concion.

ad PP. Trident. Dom. 1. quadrag. 1546.

F. Alphonsus a Castro, ordinis Minorum de Observantia. Fuit lector Salamantinus. Obiit Bruxellis 3 Febr. 1558; ætat. 63.

Theologi missi a Rege Hispaniæ.

D. Martinus Perez de Ayala, Hispanus. Ann. 1548, episc. Goadinensis: ann. 1560, episc. Segobiensis. Obiit archiep. Valentinus, 5 Aug. 1566. Anno 1546, interfuit concilio ut doctor: anno 1562, sedit. ut episc. Segobiensis int. PP. Trident.

D. Hieronymus de Velasco, Hispanus. Doct. Theol. Complutensis, regiæ cancell. Vallisolet. auditor. Ann. 1565, episc. Ovetensis. Obiit 1566.

D. Franciscus Horrera, Hispanus.

Theologi missi a Rege Portugalliæ.

F. Hieronymus ab Oleastro, Lusitanus, ordin. Prædicat. S. Theol. Doctor. Recessit e Bononia, 1549. Obiit 1563.

F. Georgius a S. Jacobo, Lusitanus, ordinis Prædicatorum. Recessit e Bononia, 12 Sept. 1549. Habuit orat.

Tridentini Dom. 1 Quadr. 1547. Fuit postea inquisitor Ulisipponensis.

F. Gaspar de Regibus, Lusitanus, ordin. Prædic. S. Theologie Doctor. Postea episc. titular Tripolitanus et suffraganeus cardin. archiep. Ebrocensis.

Theologus missus ab Ottone Truchses, Principe et Episcopo Augustensi.

Petrus Canisius, Belga, presbyter, Societ. Jesu. Fuit primus e Germanis in Soc. Jesu adscriptus: in Germania provincialis praepositus. S. Ignatio.

Ejus opera enumerat Philipp. Allegambe. Obiit Friburgi Helvetiorum 21 Decemb. 1597; ætat. 77.

Theologi Seculares, vel Juris Canonici Doctores.

D. Franciscus Vargas, Hispanus. Mexiæ audit, fiscus Castellæ, dein orator Caroli V. imperat. ad Venetos, et Philippi II. ad Pium. IV. Scripsit de jurisdict. episcop. et pontif. auctorit.

D. Alphonsus Zorilla, Hispanus. Secret. Didaci de Hurtado de Mendoza: dein ordin. S. Augustini frater. Obiit 1580.

D. Petrus Naja, Hispanus.

D. Joannes Quintana, Hispanus.

D. Joannes Velascus, Hispanus.

D. Joannes Morelli, Hispanus.

D. Gentius Hervetus, Gallus. S. Theol. Doctor, dein Canonicus Remensis. Obiit Remis 12 Sept. 1595.

D. Petrus Sarra, Hispanus.

D. Antonius Felicius, Hispanus.

D. Joannes Sarravia, Hispanus.

D. Melchior de Bosmediano, Hispanus.

D. Franciscus Sonnius, Brabantus, S. T. D.

Theologi Regulares Ordinis S. Dominici.

F. Bartholomæus Miranda, Hispanus.

F. Marcus Laureus, Trophæensis. Dein ann. 1560, episc. Campaniensis. Obiit 1571.

F. Joannes de Utino, Italus, prior Tridentinus.

F. Georgius de Senis, Senensis, Primarius Franc. Bandini archiep. Senensis theologus. Postea orator patriæ ad Julium III. Obiit in patriæ 1578; ætat. 88.

F. Petrus de Alvarado, Hispanus.

F. Hieronymus, Genuensis.

F. Vincentius, Leonius.

F. Dominicus de S. Cruce, Hispanus.

F. Hieronymus Muzzerellis, Genuensis. Ann. 1550, prior et inquisit. Bonon. S. palat. Apost. magister, ac ann. 1553, archiep. Compensis, et ad Carolum V. legatus Julii III. Obiit Salerni 1561.

F. Ludovicus de Catania, Siculus, cum R. D. Panormitano. Obiit episc. Agrigentinus 29 Sept. 1569; ætat. 84.

Theologi Ordinis Minorum, de Observantia.

F. Vincentius Lunellus, Hispanus.

F. Andreas de Vega, Hispanus, sacræ theol. doctor. Fuit lector Salmaticensis, laudatus a multis, non a Bellarmino, cui Waddingus respondet.

F. Hieronymus Lombardellus, Brixienensis, custos provinciæ Brixienensis.

F. Clemens, Januensis.

F. Joannes Consilius, Gallus, sacræ theol. doctor.

F. Richardus Cenomannus, Carnotensis, sacræ theol. doctor Paris. Scripserat nonnulla opera, relata a Gonzaga.

F. Joannes Malieti, Flander.

F. Thomas Hasaert, Flander.

F. Ludovicus Carvajalus, Hispanus, philos. ac theol. doctor Paris. Habuit orationem ad PP. Dom. III. quadrag. 1547.

F. Ludovicus Vittrarius, Veronensis.

F. Franciscus Salazar, Hispanus.

F. Clemens de Monilia, Genuensis, custos provinciæ Bononiensis.

F. Silvester de Cremona, Cremonensis.

F. Antonius Duglio, Hispanus.

F. Joannes Baptista Castilio, Mediolanensis.

Theologi Ordinis Minorum Conventualium.

F. Franciscus de Pattis, Panormitanus.

F. Sigismundus de Ruta (alit. Diruta).

F. Joannes Jacobus de Monte Falconis, minister Romandiolæ.

F. Franciscus Vicedominus, Ferrariensis. Obiit Bonon. 29 Octob. —;

ætat. 59, sepult. ibid. apud suos. Habuit orationem Neapoli in funere Mariæ Reginæ Angliæ, 1559: item ad synod. Trident. Dom. XXV. post pentec., 22 Nov. 1562, de duplici mysterio, abominationis uno, desolationis altero.

F. Joannes de Corrigia, Italus. Patruus Card. Hieronymi Bernerii.

F. Laurentius Fulgineus de Rovigo, provinc. provincæ S. Antonii de Padua.

F. Aloysius Pignismus de Columnia.

F. Petrus Paulus Cuporella de Potentia. Dein 26 Sept. 1552, episc. Cotronensis. Obiit 1556.

F. Sebastianus de Castello, Castellanus.

F. Joannes Baptista Monclavo.

F. Antonius Firsius, de Ponarolo, regens Perusii.

F. Joannes Bernerius, de Corrigio, regens Bononiensis.

F. Angelus Vigerius, de Adrio, regens Neapoli.

F. Hieronymus Girellus, Brixienensis. Obiit in patria 1573; ætat. 83.

F. Bernardinus de Costacciaro, Costacciarus.

F. Philippus Brachus, Faventinus, lector Patavinus.

F. Dominicus de Cruce.

F. Bonaventura de Castro-Franco.

F. Valerius de Vicentia.

F. Ludovicus Athesinus.

F. Julius de Placentia.

F. Petrus Paulus Picentinus.

F. Franciscus Vita, Pactensis Siculus, theologus archiep. Panormitani.

F. Jacobus de Randazo, Siculus. Obiit Paduæ 1548.

Theologi Ordinis Eremitarum S. Augustini.

F. Gregorius Perfectus, Patavinus, sacræ theol. doct. Socius Seripandi, tunc generalis ordin. sui. Obiit Romæ 27 Aug. 1555.

F. Andreas Patavinus, provincialis in Tarviso.

F. Silvester Vicentinus.

F. Dionysius Sigillensis, regens Paduæ.

F. Gaspar Venturius, Siculus.

F. Aurelius Patavinus, De Roca-Contrata, S. theol. doct. prior provinc. terræ S.

F. Paulus Senensis, sacræ theol. doctor, Postea provinc. Senensis et

S. script. profess. Piombinensis. Obiit post ann. 1561.

F. Constantius de Monte.

F. Joannes Lochel, Gallus.

F. Adrianus Messus, Rotomagensis.

F. Stephanus de Sestino.

F. Stephanus Consettes.

F. Joannes Franciscus, Brixienensis.

F. Aurelius de Contrata, Tervisinus.

F. Marianus Rocha, Feltrensis.

F. Ambrosius de Verona.

F. Omnibonus, Veronensis.

F. Gaspar, Syracusanus, sacræ theol. doctor, cum episcopo Syracusano.

Theologi Ordinis Carmelitarum.

F. Antonius Marinarius, Apulus, S. T. D. et provincialis Apuliæ.

F. Joannes Stephanus Facmus, Cremonensis.

F. Martinus Vastalla, Parmensis, provincialis Romandioliæ.

F. Vicentius de Leonis, Siculus, vicarius Panormitanus.

F. Bartholomæus de Rovereto.

F. Pontius Politus, Cremonensis, regens Paduæ, sacræ theol. doctor. Obiit in patria 1 Apr. 1571. Fuit Lombardiæ præsul 25 ann.

F. Albertus Vicentinus, regens Venetiarum.

F. Angelus Ambrosianus, Vicentinus.

F. Franciscus Vita, Senensis.

F. Nicolaus Trecensis, Apulus.

F. Cornelius de Sanizar, Gallus.

F. Gulielmus Prot, Gallus.

F. Joannes Maria, Tridentinus.

F. Antonius de Rovereto.

F. Martinus de Costello, Romandiolus, sacræ theol. doctor.

F. Ægidius Chard, Belga Gandensis, sacræ theol. doctor. In Sap. Rom. museo public. profess. Prior gener. 1532, confirmatus 1539. Habuit orationem coram Paulo III.

F. Antonius Riccius a Novælaria, Ter vicar. gener. congreg. Mantuæ, nempe 1537, 1543, 1549.

F. Stephanus, Panormitanus.

Theologi Ordinis Servorum B. Mariæ.

F. Laurentius, De Castro Franco, sacræ theol. doctor, cum suo generali. Fuit doctor Paris. pœnitent. apost. per Galliam. Obiit in patria 9 Sept. 1560; ætat. 70.

F. Zacharias de Florentia.

F. Franciscus, Senensis.

F. Hieronymus de summa Ripa.

F. Joannes Paulus, Mediolanensis.

F. Hieronymus, Bononiensis.

F. Lanfranchinus, Mediolanensis.

F. Deodatus, Mediolanensis.

F. Lucas, Faventinus.

F. Julius, Ferrariensis.

F. Thaddeus, Florentinus.

F. Rodulfus, Florentinus.

F. Laurentius Maschochius.

F. Ambrosius de Platina.

F. Marianus de Verona.

F. Stephanus de Aretio.

F. Joannes Antonius, Faventinus.

F. Athanasius de Pursibus, Foroliviensis.

F. Joannes Baptista de Urbe Veteri.

Officiales S. Concilii.—Commissarii Apostolici.

R. D. Thomas Campegius, Bononiensis, episcopus Feltrensis.

R. D. Philibertus Ferrerius, Pedemontanus, episcopus Hipporegiensis.

R. D. Thomas de S. Felicio, Neapolitanus, episcopus Cavensis.

F. Dominicus Soto, Segobiensis, ord. Prædic. vicar. gener. locum tenens, ordin. Caroli V. a confess. Obiit 15

Nov. 1560. Illustri stemmate est a concilio nobilitatus, flamma egrediente ex duabus manibus complexis, cum inscriptione: Fides, quæ per caritatem operatur.

F. Franciscus Ferrerius, Lusitanus, ordinis Prædicatorum.

Antonius Bergomas.

Secretarius S. Concilii.

R. D. Angelus Massarellus, Sanseverinus. Postea, 15 Decemb. 1557.

creat. episc. Thelesinus.

Promotor S. Concilii.

D. Hercules Severolus, Faventinus.

Magistri Cæremoniarum.

D. Pompeius de Spiritibus, Spolestinus.

D. Ludovicus Bondonus de Firmanis, Maceratensis.

Notarii.

D. Claudius de la Case, Lotharingus.

D. Nicolaus Driel, Germanus.

Cursores.

Joannes Roliard, Lotharingus.

Mathurin. Menard, Gallus.

Cantores.

Ivo Baril, Gallus.

Petrus Ordonnes, Hispanus.

Joannes le Comte, Belga.

Joannes de Monte, Germanus.

Antonius Rojal, Gallus.

Bartoline, &c.

Capitaneus ad Custodiam S. Concilii.

Ill. D. Nicolaus Madrutius, Germanus, baro liber Tridentinus. Cum copia nobilium deferentium faculum rubeum

longitudinis cannæ unius, et post eum hastarii multi.

Locum tenens.

Ill. D. Sigismundus, comes arcis.

THE NAMES, SURNAMES, COUNTRY, AND DIGNITY,

Of the LEGATES, and other FATHERS, as also of the AMBASSADORS and THEOLOGICALS, who were present at all, or any of, the nine Sessions of the Council of Trent, held under Pius IV., from the 18th of January, 1562, to the 3rd and 4th of December, 1563.

The Presidents of the Sacred Council, Cardinals of the holy Roman Church, and Apostolic Legates a latere.

Hercules Gonzaga, S. R. E. presbyt. card. tituli Sanctæ Mariæ Novæ, Mantuanus. Obiit Tridenti, die secunda Martii, 1563, et sepultus est Mantuæ.

Hieronimus Seripandus, S. R. E. presb. card. tituli Sanctæ Susannæ, Neapolitanus, archiepiscopus Salernitanus. Obiit Tridenti, die 17 Martii, 1563, et ibi sepultus in ecclesia S. Marci, ordinis fratrum Eremitarum S. Augustini, cujus olim fuerat generalis.

Joannes Moronus, S. R. E. card. episcopus Prænestinus, postea Ostiensis, et sacri Collegii decanus, Mediolanensis, in demortui card. de Mantua locum suffectus. Obiit 1580, 1 Decembris; sepultus in æde Sanctæ Mariæ super Minervam.

Stanislaus Hosius, S. R. E. presb. card. tit. S. Laurentii in pane et perna, civis et episcopus Warmiensis, postea

pœnitentiarius major. Obiit Capranicæ, 1579, 5 Augusti; sepultus Romæ in æde Sanctæ Mariæ trans Tiberim.

Ludovicus Simonetta S. R. E. presb. card. tit. S. Syriaci in Thermis, Mediolanensis, episcopus Pisarenensis. Obiit Romæ, 1563, 30 Apr.; sepultus in æde Sanctæ Mariæ Angelorum.

Marcus Sitticus de Altaemps, S. R. E. diaconus cardinal. basilicæ SS. duodecim Apostolorum, Germanus, episcopus, Constantiensis. Obiit Romæ, 1595, 15 Febr.; sepultus in æde Sanctæ Mariæ trans Tiberim.

Bernardus Navagerius, S. R. E. presb. card. tit. S. Nicolai inter Imagines, episc. Veronensis. Venetus, in demortui cardinalis Seripandi locum missus. Obiit Veronæ, 1565, 27 Maii; sepultus in ecclesia cathedrali.

Cardinales non Legati.

Carolus a Lotharingia, S. R. E. presb. card. tit. S. Apollinaris, princeps et archiepiscopus Rhemensis, abbas Cluniaci, Gallus. Obiit Avenione, 1574, 26 Decem. ; sepultus Rhemis in ecclesia metropolitana.

Ludovicus Madrutius, S. R. E. diaconus card. tit. S. Onuphrii, civis et electus episcopus Tridentinus, postea episcopus Tusculanus. Obiit Romæ 1600 2 Aprilis; sepultus in sacello familiari S. Onuphrii.

Oratores ecclesiastici sedebant a manu dextra Legatorum, videlicet;

Antonius de Muglitio, Moravus, archiepiscopus Pragensis, orator Cæsareus.

Georgius Drascovitius, Croatus, episcopus. Quinque Ecclesiensis, orator Cæsareus pro regno Hungariæ, postea archiep. Colossensis, et cardinalis. Obiit 1587; sepultus in cathedrali Javarini ecclesia.

Valentinus Herbotus, Polonus, episcopus Premisliensis, orator serenissimi regis Poloniæ.

Marcus Antonius Bobba, Casalensis, episcopus Augustens. in Pedemontio, excellentissimi ducis Sabaudie orator, postea cardinalis. Obiit 1575; sepultus Romæ in templo S. Mariæ Angelorum.

Hieronymus de Gaddis, Florentinus, episcopus Cortonensis, orator excellentissimi ducis Florentiæ, missus in locum Joannis Strozii.

Frater Martinus Rojas Portarubio, Hispanus, orator Religionis Hierosolymitanæ.

Oratores sæculares sedebant a manu sinistra Legatorum.

Sigismundus a Tuun, Tridentinus, orator Cæsareus.

Ludovicus de Sancto Gelasio, dominus de Lansac.

Arnaldus du Ferrier, præsident in parlamento Parisiensi, et

Guido du Faur, dominus de Pibrac. judex major Tolosæ, postea advocatus regius, demum præsides in suprema curia Parisiensi. Obiit Parisiis 1584; oratores Christianissimi Galliarum regis.

Ferdinandus Martineus Mazcarenius, orator serenissimi regis Portugalliæ.

Nicolaus de Ponte, doctor, et eques, et

Matthæus Dandulus, eques: oratores sereniss. domini Venetorum.

Melchior Lussi, eques auratus, orator septem Cantuum Helvetiorum.

Augustinus Baumgartner, I. V. D. Monacensis, orator excellentissimi Alberti ducis Baviaræ.

Claudius Fernandez Vegil de Quinones, comes Lunæ, oratore regia Catholici in locum illustrissimi Ferdinandi d'Avalos marchionis Pescariæ missus. Obiit Tridentini die 18 Decembris, 1563, post finem Concilii, ibique sepultus est. Hic separatim ab aliis oratoribus sedebat apud reverendissimum Thelesinum, secretarium sanctæ Synodi, ob contentionem super præcedentia ortam inter ipsum et oratores regis Christianissimi.

Patriarchæ.

Antonius Helius, Justinopolitanus, patriarcha Hierosolymitanus.

Daniel Barbarus, Venetus, electus

patriarc. Aquilejensis.

Joannes Hieronymus Trivisanus, Venetus, patriarcha Venetiarum.

Archiepiscopi Pauli III.

Ferdinandus Annus, Neapolitanus, archiepiscopus Amalphitan, postea episcopus Bovinensis.

Petrus Landus, Venetus, archiepisc. Cretensis.

Petrus Antonius de Capua, Neapolitanus, archiepisc. Hydruntinus.

Marcus Cornelius, Venetus, electus archiepiscopus Spalatrensis.

Sebastianus Leccavella, Græcus, ord.

Præd. archiepiscopus Naxiensis, postea episcopus Litteranensis.

Petrus Guerrero, Hispanus, archiepiscopus Granatensis.

Antonius Altovilia, Florentinus, archiepisc. Florentinus. Obiit 1589.

Cæsar Cibo, Genuensis, archiepiscopus Taurinensis. Obiit Tridenti, die 26 Decembris 1562.

Archiepiscopi Julii III

Paulus Æmilius Verallus, Romanus, archiepiscopus Rossanensis. postea episcopus Caputaquens.

Joannes Brunus de Olchinio, Macedo, regni Serviæ primas, archiepiscopus Antibarens.

Joannes Baptista Castaneus, Roma-

nus, archiepiscopus Rossanensis. postea S. R. E. presb. cardinalis, tit. Sancti Marcelli, Bononiæ legatus, ac tandem pontif. max. dictus Urbanus VII. Vixit in pontif. dies xii.

Joannes Baptista Ursinus, Romanus, archiepiscopus Sanctæ Severinæ.

Archiepiscopi Pauli IV.

Ludovicus Beccatellus, Bononiensis, archiepisc. Ragusinus.

Mutius Calinius, Brixiensis, archiepiscopus Jadrensis.

Sigismundus Saracenus, Neapolitanus, archiepisc. Matheranus.

Antonius Parragues de Castillegio, Hispanus, archiepisc. Calaritanus.

Julius Pavesius, Brixienis, ord. Præd. archiepisc. Surrentinus.

Bartholomæus de Martyribus, Lusitanus, ord. Præd. archiepiscopus Braccarenensis.

Augustinus Salvago, Genuensis, ord. Præd. archiepiscopus Genuensis.

Archiepiscopi Pii IV.

Philippus Mocenicus, Venetus, regni Cypri primas, et legatus natus, archiepisc. Nicosiens.

Gulielmus d'Avanson, Gallus, archiepisc. Ebrodunens. et abbas Montis Majoris prope Arelatem.

Antonius Caucus, Venetus, archiepiscopus Corcyrensis.

Germanicus Bandinus, Senensis, electus archiepisc. Senarum.

Marcus Antonius Columna, Romanus, archiepisc. Tarentinus, postea cardinalis et archiepiscopus Salernitanus. Obiit Zagorolæ 1597; sepultus ibidem in monasterio S. Mariæ ordinis S. Francisci.

Gaspar de Fosso, Consentinus, Calaber, ord. Sancti Francisci de Paula, archiepisc. Rheginus.

Antonius de Muglitis, Moravus, orator Cæsareus, archiepiscopus Pragensis.

Maximus de Maximis, Romanus, archiepiscopus Amalphitanus.

Gaspar Cervantes de Gaeta, Hispanus, archiepiscopus Messanensis, postea Salernitanus, et cardinalis.

Leonardus Marinus, Genuensis, ord. Præd. archiepisc. Lancianens.

Octavianus Præconius, Siculus Messanensis, ord. Min. convent. S. Francisci, archiepisc. Panormitan. Obiit Panormi 1568, 18 Julii; sepultus in æde Majori.

Nicolaus de Pelleve, Gallus, archiepisc. Senonensis, postea cardinalis et archiepiscopus Rhemensis. Obiit Parisiis 1594.

Antonius Justinianus, Græcus, Chiensis, ord. Præd. archiepiscopus Naxiens.

Antonius Puteus, Niciens. archiepiscopus Barenensis.

Episcopi Leonis X.

Vincentius Nicosantius de Fano, episcopus Arbensis.

Joannes Franciscus de Flisco, Genuensis, episcopus Andriensis.

Joannes Thomas de Sancto Felicio, Neapolitan. episcopus Cavensis senior.

Episcopus Adriani VI.

Quintius de Rusticiis, Romanus, episcopus Miletens.

Episcopi Clementis VII.

Lucas Bisantius de Catharo, episcopus Catharens.

Aloysius Pisanus, Venetus, episcopus Patavinus, postea cardinalis. Obiit 1570, ult. Maii.

Alexander Piccolomineus, Senens. episcopus Pientin.

Dionysius Zannetinus, Græcus, ord. Min. Sancti Francisci de Observant. episc. Melopotamens. senior.

Gabriel le Veneur, Gallus, episcopus Ebroicensis.

Gulielmus Barton de Montbas, Gallus, episcopus Lectorens.

Episcopi Pauli III.

Antonius de Camera, Sabaudus, episcopus Bellicensis.

Nicolaus Maria Caracciolus, Neapolitanus, episcopus Cataniensis.

Bernardus Bonjoannes, Romanus, episcopus Camerinensis.

Fabius Mirtus, Neapolitanus, episcopus Cajacensis.

Scipio Bongallus, Romanus, episcopus civitatis Castellanae.

Georgius Cornelius, Venetus, episcopus Tarvisinus.

- Vincentius de Durabus, Brixienſis, episcopus Thermaſiarum.
 Mauritius de Petra, Papiens. episcopus Viglovanens.
 Martius de Martiis de Medicis, Florentinus, episcopus Marsicens.
 Joannes Vincentius Michaelius, Barolitanus, episc. Minerbinens.
 Gabriel de Bouveri, Gallus, episcopus Andegavens.
 Leonardus Haller, Germanus, episcopus Philadelphen.
 Ludovicus Vanninus de Theodolis, Foroliens. episcopus Brittonienſis. Obiit Tridenti, die 11 mensis Januarii, 1563.
 Ægidius Falcetta Cingulanus, episc. Caprulanus, postea Brittonienſis.
 Julius Contarenus, Venetus, episcopus civitatis Bellunens.
 Thomas Casellus, Rossanens. ord. Prædict. episcopus Caven. junior.
 Hippolytus Arivabenus, Mantuanus, episcopus Hierapetrens.
 Hieronymus Machabæus, Romanus, episcopus Castrenſis.
 Petrus Augustinus, Hispanus, episc. Oscen. et Iacensis.
 Jacobus Naclantus, Florentinus, ord. Præd. episcopus Clodiens.
 Bartholomæus Sirgo, Cretens. Græcus, episcopus Castellanetens.
 Thomas Stella, Venetus, ord. Præd. episcopus Justinopolitan.
 Petrus de Val, Gallus, Parisinus, episcopus Sagiensis. Obiit Vicennis 1564.
 Joannes Antonius Pantusa, Consentinus, episcopus Literensis. Obiit Tridenti, die 26 Octob. 1562.
 Joannes Baptista de Grossis, Mantuanus, episcopus Regiensis.
 Joannes Soarez, Lusitanus, ord. Sancti Augustini, episcopus Conimbricens.
 Philippus Riccabella, Recanaten. episcopus Recanaten.
 Jo. Jacobus Barba, Neapolitan. ord. S. Augustini, episcopus Interamnens.
 Michael a Turre, Utinens. episc. Cenetens. postea presbyter cardinalis.
 Obiit 1586; sepultus in ecclesia Cenetensi.
 Pompejus Zambeccarius, Bononien. episc. Sulmonens.
 Joannes Beroaldus, Panormitanus, episcopus Sanctæ Agathæ.
 Antonius Scarampus, Aquensis, episcopus Nolanus.
 Antonius ex comitibus a Cuturno, Genuens. ord. Prædic. episc. Brugnaten.
 Cæsar Foggia, Rossanens. episc. Umbriaticens.
 Cæsar comes de Gambara, Brixienſis. episcopus Tortonenſis.
 Jo. Baptista de Bernardis, Lucens. episcopus Adjacens.
 Martinus Perezius de Ayala, Hispanus, episc. Segobiensis.
 Nicolaus Psalmeus, Gallus, episc. Verdunens.
 Alphonsus Rosettus, Ferrariens. episc. Comacluens. postea Ferrariens.
 Julius Parisianus, de Tolentino, episc. Ariminens.
 Bartholomæus Sebastianus, Hispanus, episc. Pacten.
 Franciscus Lambertus, Sabaudus, episc. Niciens.
 Maximilianus Doria, Genuens. episc. Naulens.
 Eustachius du Bellay, Gallus, episc. Parisiens.
 Bartholomæus de Capranica, Romanus, episc. Carinensis.
 Ennius Massarius de Narnia, episcopus Feretranus.
 Achilles Brancia, Neapol. episc. Bovens.
 Jo. Franciscus Verdura, Messanens. episcopus Chironens.
 Albertus Duimius de Glicicis, Catharensis, ord. Prædic. episcopus Vegliensis.
 Joannes Antolinez de Bricianos de la Ribera, Hispanus, episcopus Juvenacens.
 Tristanus de Bizet, ord. Cisterciensis, Gallus, episc. Xantonens. et abbas Sancti Nicolai, in Bosco.

Episcopi Julii III.

- Ascanius Gherardinus de Amelia, episcopus Catacen.
 Marcus Gonzaga, Mantuanus, episc. Auxorens.
 Balduinus de Baldovinis, Pisanus, episc. Aversanens.
 Petrus Franciscus Pallavicinus, Genuens. episcopus Aleriens.
 Ægidius Füscherarius, Bononien. ordinis Prædicat. episcop. Mutineus.
 Timotheus Justinianus de Chio, Græcus, ord. Præd. episc. Calamonensis.

Didacus de Almansa, Hispanus, episc. Cauriens.

Lactantius Roverella, Ferraricens. episc. Asculanus.

Ambrosius Monticula, Lunensis, Sarzanensis, episc. Signinus.

Sebastianus Gualterius, Urbevetanus, episcopus Viterbiens.

Honoratus Fascius Tello, monachus Casinensis, ord. S. Benedicti, Neapolitanus, episcopus Insulanus. Obiit Romæ mense Martio 1564.

Petrus Camajanus, Aretinus, ep. Fesularum.

Horatius, Græcus, de Troja, Apulus, episcopus Lesinens.

Fabius Cuppalata, Placentinus, episc. Laquedoniensis.

Gaspar de Casal, Iusitanus, ord. S. Augustini, episc. Leirien. postea Conimbricensis.

Bernardinus de Cuppis, Romanus, episc. Auximanus.

Joannes de Morvilliers, Glesensis, Gallus, episc. Aurelian.

Julius Gentilis, Tortonen. episcopus Vulturariens.

Adrianus Fusconius, Romanus, episcopus Aquinat.

Antonius a S. Michaeli, Hispanus, ordin. S. Francisci de Observantia, episc. Montis Marani.

Hieronymus Melchiorius, Recanaten. episc. Maceratens.

Petrus de Petris de Monte, Aretinus, episc. Lucerinus.

Cæsar Jacomellus, Romanus, episc. Bellicastrens.

Petrus Grittus, Venetus, episc. Parenthinus.

Jacobus Silvestrius Piccolomineus de Cælano, episc. Aprutinus.

Ludovicus de Brezé, Gallus, episc. Meldens.

Jacobus Mignanellus, Senens. episc. Grossetan.

Jo. Andreas Crucius Tiburtinus, ep. Tiburtinus.

Franciscus Richardotus, Burgundus, ordinis Eremitarum S. Augustini, episcopus Atrebatens. Obiit 1574, 26 Julii.

Carolus Cicada, Genuens. episcopus Albinganneus.

Franciscus Maria Piccolomineus, Senens. episcopus Ilcinens.

Arisclus Moya de Contreras, Hispanus, episc. Vicen.

Galeatius Roscius de Interamna, episcopus Assisiensis. Obiit Tridenti 16 Octobris, 1563.

Jacobus Maria Sala, Bononiens. episc. Vivariens.

Gabriel de Monte S. Sabini, ep. Æsinus.

Marianus Sabellus, Romanus, episc. Eugubinus.

Agapitus Belhomo, Romanus, episc. Casertanus.

Julius Cananus, Ferrariens. ep. Hadriensis, postea presb. cardinalis tit. Sancti Eusebii, et episcopus Mutinensis. Obiit Ferrariæ 1592; sepultus in ecclesia S. Dominici.

Julius Gallettus, Pisanus, episc. Alessanens.

Hieronymus Dubourg, Gallus, episc. Catalaunen. et abbas S. Petri de Monte. Obiit 1573.

Episcopi Pauli IV.

Scipio Estensis, Ferrarien. episc. Casalens.

Didacus Sarmiento de Sotomayor, Hispanus, episc. Asturicens.

Thomas Goduelus, Anglus, episc. Asaphens.

Faustus Caffarellus, Romanus, episc. Fundanus.

Belisarius Balduinus, Neapolitanus, episc. Larinens.

Urbanus Vigerius de Ruvere, Genuens. episc. Senogalliens.

Jacobus Suretus, Græcus, episc. Miopotamens, junior.

Jo. Baptista Osius, Romanus episc. Reatinus. Obiit 12 Novembris, 1562.

Marcus Laureus, Tropiensis, ordin. Prædic. episcopus Campaniens.

Franciscus de Beaucaire, Peguillon, dominus de la Creste et Chommieres, baro Sancti Desiderati, Gallus, episc. Metensis, postea abbas S. Germani Antistiodorensis, Regniaci, et S. Sygriani. Obiit 1591, 14 Febr.

Jo. Franciscus Commendonus, Venetus, episcopus Zacynthen. postea cardinalis.

Carolus de Grassis, Bononiens. ep. Montis Falisci, postea cardinalis.

Arias Gallego, Hispanus, episc. Gerundens.

Hieronymus Gallego, Hispanus, *episc.* Ovetens.

Hercules Rettinger, Germanus, *episc.* Laventinus.

Julius de Rubeis, Polian. *episc.* S. Leonis. Obiit Romæ mense Martio, 1564.

Joannes de Munatones, Hispanus, ordinis S. Augustini, *episc.* Segobricens. Franciscus Blanco, Hispanus, *episcopus* Auriensis.

Vincentius de Luchis. Bononiens. *episc.* Anconitanus.

Pompejus Piccolomineus de Aragonia, *episc.* Tropien.

Petrus Barbaricus, Venetus, *ep.* Cursolen.

Franciscus Bachodius, subaudien. *episc.* Gebennen.

Carolus d'Angennes a Rambouillet, Gallus, *episcopus* Cenomanens. postea cardinalis. Obiit Corneti in Etruria 1587, 23 Martii.

Hieronymus de Nichisola, Veronens. ordin. Præd. *episc.* Theanen.

Marcus Antonius Bobba, Cassalens. *episc.* Augustens. postea cardinalis. Vide supra inter oratores ecclesiasticos.

Jacobus Lomellinus. Messanens. *episc.* Mazariens.

Donatus de Laurentiis, de Asculo, Apulus, *episc.* Arianens.

Petrus Cantareus, Venetus, *ep.* Paphens.

Petrus Danes, Gallus, *episc.* Vauren. Obiit 1577.

Hieronymus Savorgnanus, Foroju-lien. *episcopus* Sibiricen.

Philippus du Bec. Gallus, *episc.* Venetens. postea Nannetens. deinde archiepisc. Rhemensis. Obiit 1605.

Carolus de Roussy, Gallus, *episc.* Suession.

Georgius Drasconicius, Croatus, *episcopus* Quinque Ecclesiens. postea car-

dinalis. Vide supra inter oratores ecclesiasticos.

Franciscus de Aguirre, Hispanus, *episcopus* Crotonens.

Andreas de Cuesta, Hispanus, *episcopus* Legionens.

Antonius Corrionero, Hispanus, *episc.* Almeriens.

Antonius Augustinus, Hispanus, *episc.* Ilerdens. postea archiep. Tarracon.

Angelus Masserellus, Sansaverinus, *episc.* Thelesinus.

Antonius Ciurelia, Barensis, *ep.* Buduensis.

Dominicus Casablanca, Messanens. ord. Præd. *episc.* Vicensis.

Petrus Faunus Costacciarus, *ep.* Aquens.

Jo. Carolus Bovius, Bononiens. *episc.* Astuneens. postea archiepisc. Brundusinus.

Hugo Boncompagnus, Bononiens. *episc.* Vestanus, postea card. tit. S. Sixti, et Pont. max. dictus Gregorius XIII.

Salvator Pacinus de Colle, *episc.* Clusinus.

Lupus Martinez, Hispanus, *episc.* Elnens.

Carolus d'Espinay, Gallus, electus *episc.* Dolens. Obiit 1591.

Ægidius Spifame, Gallus, *episc.* Nivern. et abbas S. Pauli Senon. Obiit Lutetiæ 1578.

Antonius Sebastianus Minturnus, de Traject. *episc.* Uxentin.

Bernardus del Bene, Florentinus, *episc.* Nemausen.

Dominicus Bollandus, Venetus, *episc.* Brixiens.

Jo. Antonius Vulpius, Comens. *episc.* Comens.

Philippus Maria Campegius, Bononiens. *episcopus* Feltrens.

Joannes de Quinones, Hispanus, *episcopus* Calaguritan.

Episcopi Pii IV.

Didacus Covarruvias de Leyva, Hispanus, Toletanus, *episc.* civitatis Roderici, postea Segoviensis; demum Conchæ designatus. Obiit Madriti 1577, 27 Septem.; sepultus Segoviæ.

Ludovicus de Genoillac, Gallus, *episcopus* Tutelensis, et abbas S. Romani de Blavia. Obiit Burdigalæ, 1583.

Philippus Gorius, Pistoriens. *ep.* Iscanens. postea Assisiens.

Jo. Antonius Fachinettus de Nuce,

Bononiens. *episc.* Neocastren. postea patriarcha Hierosolymitan. S. R. E. presb. card. tit. SS. Quatuor Coronatorum, ac tandem pontiff. max. dictus Innocentius IX. Vixit in pontif. menses duos.

Hippolytus Capilupus, Mantuanus, *episc.* Fanensis.

Joannes Fabricius Severinus, Neapolitanus, *episc.* Acerrens.

Martinus Balduini Rithovius, Bra.

bantus, primus episc. Iprens. Obiit Audomari, 1583.

Antonius Havetius, Flander, ord. Præd. primus episcopus Namurcens. Obiit 1578.

Constantinius Bonellus, Feretran. episc. civitatis Castelli.

Julius Superchius, Mantuanus, ord. Carmelitarum, episc. Acciens. postea Caprulan.

Matthæus de Concinis, Florentinus, episc. Cortonens.

Nicolaus Sfrondatus, Mediolanens. episcopus Cremonens. postea presb. card. tit. S. Cæciliæ demum pont. max. dictus Gregorius XIV. Vixit in pontificatu menses 10, dies 10.

Ventura Bufalinus, Tiphernas, episc. Massanens.

Ludovicus de Bucil, Gallus, ep. Venciens.

Hieronymus Galleratus, Mediolanens. episc. Sutrinus.

Jo. Petrus Delphinus, Venetus, ord. Canonicorum regularium, ep. Zacynthi, et Cephaloniæ secundus.

Jo. Andreas Bellonius, Messanens. episc. Massalubren.

Georgius Zifchouid, Hungarus, ordin. Min. S. Francisci de Observ. episc. Signien.

Fridericus Cornelius, Venetus, ordin. S. Joannis Hierosolymitani, episc. Bergomens. postea Patavinus, et S. R. E. presbyt. cardinalis tit. S. Stephani. Obiit Romæ 1590; sepultus Patavii in eccles. cathedrali.

Stephanus Boucher, Gallus, ep. Corisopiten.

Jo. Paulus Amanius, Cremen. episc. Anglonen.

Alexander Sfortia, ex comitibus S. Floræ, episc. Parmens. postea card. tit. S. Mariæ in Via. Obiit Maceratæ 1581; sepultus Romæ in ecclesia Sanctæ Mariæ Majoris.

Antonius le Cirier, Gallus, ep. Abrincens.

Andreas Mocenicus, Venetus, episc. Nimosiens.

Benedictus Salinus, Firmanus, episc. Verulanus.

Guillelmus Cassador, Hispanus, episc. Barcinonen.

Petrus Gonzalez de Mendoza, Hispanus, episcopus Salamanticen.

Martius de Corduba de Mendoza, Hispanus, ord. Præd. episc. Dertusen.

Julius Magnanus, Placentinus, ordin. Min. convent. S. Francisci, episcop. Calven.

Valentinus Herbotus, Polonus, episc. Premislicen. orator regis Polonia.

Simon Aleotus, Foro-Julien. Obiit Tridenti 20 Augusti, 1562.

Petrus de Xaque, Hispanus, ord. Prædic. episc. Niocheus.

Prosper Rebiba, Messanen. episc. Trojanus, postea patriarcha Constantinopolit.

Melchior de Vosmediano, Hispanus, episcopus Guadixen.

Hippolytus de Rubeis, Parmensis, episcopus Papiensis, postea S. R. E. presb. cardinalis tit. S. Mariæ in Portic. deinde S. Blasii de Annulo. Obiit Romæ 1591, 28 April; sepultus in Sancti Blasii.

Didacus de Leon, Hispanus, ord. Carmelitarum, episc. Columbrien.

Annibal Saracenus, Neapolit. episc. Licien.

Paulus Jovius, Comensis electus episcopus Nucerien.

Hieronymus Trivisanus, Venetus, ord. Præd. episc. Veronen. Obiit Tridenti die 9 Septembris, 1562.

Hieronymus Ragazzonus, Venetus, episc. Nazianzenus, et coadjutor Famaugustan. postea episc. Bergomensis.

Romulus de Valentibus, de Trebia, episc. Conversan.

Lucius Maranta, Venusinus, episc. Lavellensis.

Simon de Nigris, Genuens. episc. Sarzanen.

Theophilus Galluppus, Tropien. episc. Oppiden.

Julius Simonetta, Mediolanen. episcopus Pisaren.

Petrus d'Albret, Navarrus, episc. Convenarum.

Jacobus Guidius, Volaterranus, episc. Pennen. et Adriens.

Didacus Ramirez, Hisp. episcopus Pamphilonens.

Franciscus Delgado, Hispanus, episc. Lucensis.

Joannes Clausse, Gallus, episc. Sani-ciensis.

Jacobus Gilbertus de Noguera, Hispanus, episc. Aliphan.

Joannes Annus, Neapolitanus, episc. Hipponen. et coadjutor Bovinus.

Antonius Maria Salviati, Romanus, episcopus S. Pauli, postea S. R. E.

presb. cardinalis tit. S. Mariæ in Aquiro, et Bononiæ legatus. Obiit Romæ 1602, 26th Aprilis; sepultus ante summam aram in S. Jacobi.

Matthæus Priulus, Venetus, episc. Emonien. postea Vicentinus.

Thomas Lilius, Bononien. episcopus Soranus.

Franciscus Guarinus, Feretranus, episcopus Imolen.

Thomas Ohierllanthe, Hibernus, episcopus Rossen.

Franciscus de la Valette, Gallus, episcopus Vabren.

Fabius Pignatellus, Neapolitanus, episcopus Monopolitan.

Carolus Visconti Mediolanen. episcopus Vintimilien. postea cardin. tit. SS. Martyrum Viti et Modesti in Marcello. Obiit Romæ 1565, 13 Novembris; sepultus in ecclesia sui tituli.

Joannes Coloswarinus, Hungarus, ord. Præd. episcopus Canadiensis. Obiit Tridenti 14 Novembris, 1562.

Andreas Duditiuss Sbardellatus, Hungarus, episc. Thinien. postea Quinque Ecclesien.

Spinellus Bencius, Politianus, episcopus Montispolitiani.

Franciscus Abondius, Castilioneus, Mediolanensis, episc. Bobien. postea S. R. E. presbyt. cardinalis tit. S. Nicolai inter Imagines. Obiit 1568, 24 Novembris; sepultus Romæ in ecclesia Sanctæ Mariæ de Populo.

Stanislau Faleschi, Polonus, episc. Theodosien.

Eugenius Oharet, Hibernus, ord. Prædic. episcopus Egaden.

Donaldus Magongail, Hibernus, episc. Rapoten.

Guido Ferrerius, Pedemontanus, civis et episc. Vercellen. postea S. R. E. presb. cardinalis tit. Sanctæ Euphemie, deinde SS. Viti et Modesti martyrum in Marcello, et marchio Romagnani. Obiit 1583, 26 Maii; sepultus in Sanctæ Mariæ Majoris.

Jo. Baptista Sighicellius, Bononien. episc. Faventinus.

Sebastianus Vantius, de Arimino, episcopus Urbevitanus.

Jo. Baptista Lomellinus, Messanen. episc. Gardien.

Jo. Baptista Milanensis, Florentinus, episc. Marsican.

Augustinus Mollignan, Vercellensis, episc. Trivicanen.

Carolus Grimaldus, Genuen. episc. Sagonen.

Fabricius Landrianus, Mediolanen. episc. S. Marci.

Bartholomæus Farratinus, civis et episcopus Amerinus.

Petrus Fragus, Hispanus, episcopus Usellen. postea Algarensis.

Hieronymus Gaddus, Florentinus, episc. Cortonen.

Franciscus Contarenus, Venetus, episcopus Paphens.

Joannes Delphinus, Venetus, episc. Torcellanus.

Alexander Molus, Comen. episcopus Minoren.

Hieronymus Vielmus, Venetus, ord. Præd. episc. Argolicen.

Franciscus Raguseus, ordin. S. Francisci de Observantia, episc. Marcanens.

Abbates.

Ludovicus de Bessay, abbas generalis Cistercii.

Hieronymus de la Souchière, Gallus, Campanus, monachus ordinis Cisterciensis, abbas Claræ Vallis, postea abbas generalis Cistercii, demum S. R. E. presbyt. cardinalis tit. S. Matthæi in Merulana. Obiit Romæ 1571, 9 Nov.; sepultus in ecclesia S. Crucis in Jerusalem.

Simplicianus, abb. S. Salvatoris Papiæ, de Vultulino, congregationis Cassinen.

Stephanus Catanius, Novarien. abb.

S. Mariæ Gratiarum, Placentin. dioc. congregationis Cassinen.

Augustinus Loscus, Hispanus, abbas Sancti Benedicti de Ferraria, congregationis Cassinen.

Eutychius de Cordes, Antwerpiens. abb. Sancti Fortunati de Bassano, congregationis Cassinen. Obiit 1582, mense Sept.; sepultus in monasterio S. Justinae de Padua.

Claudius Sainctes, Gallus, abbas Lunevillan.

Cosmas Damianus, Hortulan. Hisp. abbas Villæbertrandi.

Generales.

Vicentius Justinianus, Genuen. generalis ord. Prædicatorum, postea cardinalis tit. S. Nicolai inter Imagines, deinde S. Sabinae. Obiit Romæ 1582, 28 Octobr.; sepultus in ecclesia Sanctæ Mariæ super Minervam.

Franciscus a Zamora, Hispanus, Conchensis, generalis ordinis Minorum de Observantia. Obiit 1571.

Antonius de Sapientibus, Augustanus, generalis ordin. Min. Conventualium.

Christophorus Patavin. prior gene-

ralis ord. Eremitarum S. Augustini. Obiit 1569.

Joannes Baptista, Migliavacca, Asten. generalis ord. Sanctæ Mariæ Servorum.

Stephanus Fazinus, Cremonen. provincialis Lombardia; pro generali Carmelitarum.

Jacobus Lainez, Hispanus, ex oppido Castellæ Almazan, præpositus generalis societatis Jesu. Obiit Romæ 1565, 19 Januarii.

Thomas Tifernas, civitatis de Castello in Umbria, generalis Capucinatorum.

Doctores legum pro sacro Concilio.

Gabriel Paleotta, Bononien, auditor Rotæ, postea S. R. E. diaconus cardinalis tit. SS. Nerei et Achillei, mox SS. Joannis et Pauli, et episcopus Bononien, deinde tit. S. Martini in Montibus, et primus Bononiæ archiepiscopus, demum tit. S. Laurentii in Lucina, ac episc. Albanus; postremo episc. cardinalis Sabinus. Obiit Romæ 1597, 22 Julii, sepultus Bononiæ in ecclesia metropolitana.

Scipio Lancellottus, Romanus, advocatus consistorialis, postea auditor Rotæ, et S. R. E. presbyt. cardinalis tit. S. Simeonis. Obiit Romæ 1598, 2 Junii; sepultus in S. Joannes Lateranensis.

Jo. Baptista Castellius, Bononien. promotor, postea episcopus Ariminens.

Michael Thomasius, Majoricen. doctor decretorum, postea episcopus Ilerdensis.

Theologi a summo Pontifice missi.

Frater Petrus de Soto, Hispanus, ordinis Prædicatorum. Obiit Tridenti, mense Aprilis, 1563.

Alphonsus Salmeron, Hispanus, Tolletanus. Societ. Jesu. Obiit Neapoli, 15 Febr. 1585.

Franciscus Turrianus, Legionensis, Hispanus, doctor theologus, postea Societ. Jesu. Obiit Romæ, 1584, ipso die festo Præsentationis B. Virginis, quem ex breviario expunctum Ecclesiæ Catholice restituti procuraverat.

Antonius Solisius, Hispanus, doctor theol.

Frater Camillus Campeggius, Papiens. inquis. Ferrariæ, ordinis Præd.

Frater Hieronymus Bravo, Hispanus, ordin. Præd.

Frater Adrianus Valentinus, Venetus, ord. Præd. in demortui F. Petri de Soto locum missus; postea dominii Veneti inquisit. gener.

Doctores theologi facultatis Parisiensis missi a Carolo Nono, Galliarum rege Christianiss.

Nicolaus Maillard, decanus facultatis Parisiensis.

Joannes Pelletier, præfect. collegio Navarrae.

Antonius Demochares, Ressonæus.

Nicolaus de Bris.

F. Jacobus Hugonis, Franciscanus, idem etiam procurator reverendiss. Joannis Ursini, episc. Trecorensis.

Simon Vigor, Normannus, canonicus

Parisiensis, postea archiep. Narbonensis. Richardus du Pré.

Natalis Paillet. Obiit Tridenti, 25 Novembris, 1562.

Robertus Fournier.

Antonius Coquier.

Lazarus Broychot.

Claudius de Saintes, canonicus regularis Sancti Augustini, postea episc. Ebroicensis. Obiit an. 1590.

Theologi missi a Philippo Secundo, rege Catholico. (a)

Cosmas Damianus, Hortulan. electus
abb. Villæbertrandi.

Ferdinandus Tritius, doctor theolo-
gus, canonic. Caurien.

Ferdinan. Vellostillus, doctor theolo-
gus, canonicus Seguntinus, postea epis-
copus Lucenais.

Thomas Dassio. I. V. D. canonicus
Valentinus.

Licentiat. Antonius Covarruvias, Di-
daci frater, auditor Granaten.

Ferdinandus Minchaca, decretor.
doctor.

Frater Joannes Ramirez, Hispanus,
minister provincialis S. Jacobi.

Frater Alphonsus Contreras, commis-
sarius ord. Minorum in curia regis.
Hisp.

Frater Michael de Medina, Hispanus,
ordinis Minor. sacræ theologiæ doctor.
Obiit Toleti.

Frater Joannes Lobera, Hispan. sacræ
theologiæ lector Salmanticæ, socius
ministri provincialis S. Jacobi.

Cosmus Palma Fonteyus, sacræ theo-
logiæ doctor, Hispanus, socius Hortu-
lani abbatis.

Frater Joannes Gallo, Hispanus, ord.
Præd.

Frater Petrus Fernandez, Hispanus,
ordin. Præd. socius Joannis Gallo.

Frater Desiderius de S. Martino,
Panorm. ord. Carmelitani.

Michael Baius Hanno, Athenis, sacræ
theologiæ doctor, postea decanus ec-
clesiæ collegiatæ S. Petri Lovanii, Aca-
demiæ cancellarius, et ejusdem conserv.
Obiit Lovanii 1589, 16 Sept. ibique
sepultus in sacello collegii pontificii.

Joannes Hessels, Brabantus, Lovani-
ensis, sacræ theologiæ doctor. Obiit
Lovanii 1576, 7 Novembris.

Cornelius Jansenius, Flander, Hul-
stensis, sacræ theologiæ doctor, postea
primus episcopus Gandensis. Obiit
Gand. 1576, 11 Aprilis.

Theologi missi a Rege Portugalæ.

Frater Franciscus Forerius, Lusita-
nus, ord. Præd.

Didacus Payva d'Andrada Lusitanus,
doctor. theol.

Melchior Cornelius, decretorum doc-
tor, senator regis Portugalæ.

Ab excellentissimo duce Bavarie.

Joannes Covillonius, Flander, Insu- lensis, ex soc. Jesu. Obiit Romæ 1581.

Procuratores Episcoporum Absentium.

Marchantus, doctor theologus, pro
illustriss. cardinale de Mendoza, epis-
copo Burgens.

Jo. Gothardius, cleric. sæcul. Ger-
manus, pro episcopo Ratisbonen.

Georgius Hochenuarter, cleric. sæcul.
doctor theologus, suffraganeus, pro epis-
copo Basiliensi.

Frater Felicianus Ninguarda a Mor-
binio, ord. Præd. pro illustrissimo
domino Salisburgen. orator.

Petrus Cumelius, doctor theologus,

canonicus Malacitanus, pro reverendis-
simo Malacitano.

Joannes Delgadus, doctor theologus,
canonicus Tudensis, pro D. Joanne de
S. Æmiliano episc. Indensi.

Gaspar Cardillus, Villalpandus, Se-
gob. doctor theologus, pro episc. Abu-
lensi.

Frater Joannes de Ludena, doctor
theologus, ordin. Præd. pro episcopo
Seguntino.

(a) Observa hunc theologorum ordinem a librariis inductum, hic non immutari, salvo tamen decreto super hac re sancito in fine sessionis secunde, et decreto de loco oratorum sub finem sessionis vigesimo quintæ. Quin et diversum plano ordinem nonnulli servavere: inter quos Gentianus Hervetus, Aurelianensis, vir clarissimus, qui et ipse Concilio inter theologos interfuit.

Frater Franciscus Orantes, lector Vallisoletti, ordin. Minorum pro episcopo Palentino.

Cæsar Ferrantius, Suessanus, doctor theologus, pro episc. Suessano apud reverendissimum Ilerdensem.

Procuratores ordinum.

Joannes Cotignon, doct. Gallus, procurator ord. Cluniacensis, postea prior major. Obiit 1572, 21 Aprilis; sepultus Martiniaci.

Nicolaus Bocherat, Gallus, prior

monasterii de Recluso, procurator general. ordinis Cisterciæ, postea ejusdem ordinis abbas generalis. Obiit 1586, 12 Martii.

Theologi sæculares et doctores juris canonici.

Georgius Girard, Gallus, doctor theologus, cum reverendiss. Andegavensi.

Gentianus Hervetus, Gallus, Aurelianensis, cum illustriss. reverendiss. cardinale a Lotharingia. Fuit postea canonicus Rhemensis. Obiit Rhemis 1584, 12 Septembris.

Franciscus Sancius, decanus facultatis theologiæ, et canonicus Salmanticens. cum reverend. Salmanticensi.

Matthæus Guerra, Consentinus, Calaber, præsb. sæcularis, cum epis. S. Marci.

Fredericus Pendasius, cum illustriss. card. de Mantua, legato sacri Concilii.

Joan. Franciscus Lombardus, cum illustris. card. Seripando, legato sacri Concilii.

Petrus Mercaddo, theologus, cum reverendiss. episc. Vicensi.

Franciscus de Truxillo, doctor theol. canonicus Legionen, cum reverend. Legionensi.

Sobannus, doctor theologus, cum reverend Legionensi.

Antonius Bitonius, doctor theol. cum reverend. Conimbricensi.

Petrus Fontidonius, Segoviensis, canonicus Salmantinus, doctor theolog. cum reverend. Salmantino.

Joannes Villeta, doctor theologus, cum reverend. Barcinonensi.

Joannes Fonseca, doctor theologus, cum reverend archiepisc. Granaten.

Michael Oroncuspe, doct. theol. cum reverend episc. Pampilonen.

Alphonsus Fernandez de la Guerra, Hispanus, doctor theologus, cum reverend. Guadixensi.

Michael Ytero D. V. I. cum episc. Pampilonensi.

Josephus Puebla, doctor theolog. cum episcopo Civitatensi.

Joannes Chacon, doctor juris canonici, cum episc. Almeriensi.

Antonius Garsias, doctor theolog. cum episcopo Oveten.

Benedictus Arias Montanus, ord. S. Jacobi, doctor theologus, cum reverend. Segobiensi.

Joannes Barcellona, theologus, cum episc. Uscellensi.

Doctores Galli ordinis S. Benedicti.

Joannes de Chartougue, doctor theologus.

Joannes de Verdun, doctor theologus.

Theologi ordinis Fratrum Prædicatorum.

Angelus Ciosius, Florentinus, cum illustriss. card. Mantuano, legato sacri Concilii.

Seraphinus de Caballis, Brixienis, provincialis Terræ Sanctæ cum suo generali, postea ord. generalis. Obiit Hispali 1578, 21 Novemb.

Heliseus Capys, Venetus, theologus, cum archiepisc. Pragensi.

Petrus Aridiensis, Gallus, cum reverend. Cenomanensi.

Bernardus Berardi, Gallus, inquisitor Avenion. vicarius cong. Franciæ, cum reverend. Nemausensi.

Joannes Matthæus Valdina, cum reverend. Tarentino.

Petrus Martyr Coma, Hisp. cum reverendiss. Gerundensi.

Petrus Zatores, Hisp. cum rever. Der-tusensi.

Antonius de Grosupto, cum reverendiss. Viglevanensi.

Aurelius de Chio, cum reverend. Spalatrensi.

Adrianus Valenticus, Venetus, cum reverend. Nicosiensi.

Marcus Medicus, Veronensis, cum reverend. Cenetensi.

Benedictus Herba, Mantuanus, cum reverend. Brixiensi.

Michael de Ast, Genuensis, prior S. Laurentii.

Constantinus Coccianus Isorella, cum reverend. Montispolitiani.

Henricus de S. Hieronymo, cum reverend. Braccarensi.

Ludovicus de Sotomayor, Lusitanus, cum rever. Georgio Tudensi.

Baptista de Lugo, cum reverend. Veronensi.

Hieronymus Barolus, Papien.

Theologi ordin. Minorum de Observantia.

Aloysius de Burgo Novo, Italus, sacrae theologiae lector Bononiae, commissarius generalis, postea ordin. generalis.

Thomas de Sogliano, Italus, prov. Bononiae minister.

Antonius de Padua, Lusitanus, ordin. secretarius.

Bonifacius de Ragusio, apostolic. praedicator, Terrae S. gubernator, postea episcopus de Stagno in Dalmatia.

Angelus de Petriolo, Italus, lector sacrae theologiae Perusiae.

Angelus Justinianus, Italus, lector sacrae theologiae Genuae.

Vincentius de Messina, Italus, sacrae theologiae lector Neapoli.

Julius Passiranus, Orseanus, Italus, sacrae theologiae lector Bergomi.

Jacobus Alani, Gallus, theologus, cum episc. Venetensi.

Theologi ordinis Fratrum Minorum conventualium.

Marcus Antonius Gambaronus a Lugo, socius religionis.

Bartholomaeus Golphus de Pergula.

Joannes Tertius, Bergomens. lector theologiae publicus in gymnasio Papiensi.

Clemens Thomasinus de Florentia, regens in conventu S. Crucis de Florentia.

Augustinus Balbus a Lugo

Joannes Baptista Ghisulphus, ordinis scriba.

Antonius de Guignano, regens S. Antonii de Patavio.

Lucius Augusiola, Placentinus, regens S. Francisci Bononiae.

Maximilianus, Benjaminus, Cremens,

orator pro religione, et inquisitor Paduae, postea episcopus Clodiensis.

Octavianus Charus, de Neapoli, regens S. Laurentii de Neapoli.

Antonius Posius de Monte Ilcino, regens in conventu duodecim Apostolorum Romae. Obiit Monteilcini 1580.

Bonaventura Meldulen. regens in conventu Parmae.

Martialis Peregrinus, Calaber, regens in conventu Ferrariæ.

Antonius a Cubalo, Feltrens.

Andreas Schynopius de Amandula, cum reverendissimo Catacensi.

Balthassar Gryspus, Neapolitanus, cum reverendissimo Tropien.

Theologi ordinis Fratrum Eremitarum Sancti Augustini.

Thadæus Perusinus, cum reverend. Salviato, postea praepos. gener.

Joannes Paulus Recanatensis, cum reverendissimo Quinque Ecclesiens. oratore pro regno Hungariae.

Simon Florentinus, cum illustriss. card. Seripando legato.

Cherubinus Lavosius de Cassia, cum reverend. Vercellens.

Gabriel Verratellus, Anconitanus.

Ambrosius Veronensis, prior conventus S. Marci in urbe Tridentina.

Joannes Baptista Burgos, Hispanus, Valentinus.

Antonius Mondulphensis, cum reverend. Pragenses. oratore.

Ægidius Volaterranus, cum episcopo Thinien.

Eugenius Pisarenensis, Concilii praedicator, postea episcopus Smyrnenensis, et Veliternorum propræsul, apud quos obiit 1580, 21 Jun.

Adamus Florentinus, cum illustriss. cardin. Madrutio, orationem habuit no-

mine oratoris VII pagorum Helveticorum Catholicorum. Obiit Romæ 1581, 17 Januarii.

Aurelius Coronaltensis, cum oratore Helvetiorum.

Balthazar Messanus, cum episcopo Catanien.

Sebastianus Fanensis, ordinis scriba.

Christophorus de Sanctoris, Hisp. Burgensis.

Simon de Brazzolatius, Patavinus.

Angelus Ferus, Venetus, cum reverendiss. de Osma. Obiit Barii in Apulia præfectus provincialis.

Petrus Lusitanus, cum reverendiss. Leiriensi.

Theologi ordinis Fratrum Carmelitan.

Jo. Jacobus Cheregatus, Vincentinus, provincialis Venetiarum, postea proc. gener. ord.

Theodorus Masius, Mantuan, cum reverendiss. Cremonensi.

Silvester, confessarius illustriss. card. Mantuani.

Lucretius Asolanus, cum reverend. patriarcha Venetiar.

Nicolaus Gallus, cum R. patre generali.

Eraldus Gallus, cum R. patre generali.

Laurentius Lauretus, Venetus, cum R. patre generali.

Angelus Ambrosianus, Venetus.

Theologi ordinis Fratrum Servorum B. Mariæ.

Stephanus Bonucius, Tuscus, Aretinus, postea episcopus Alatrinus, deinde Aretinus, et S. R. E. presb. cardinalis tit. SS. Petri et Marcellini. Obiit Romæ 1589,

2 Januarii, in collegio sui ordin. ibique sepultus.

Amans, pro congregatione Servorum, cum reverendiss. Sabinicens.

Officiales sacri Concilii Tridentini.

Episcopus Cavensis, commissarius
Episcopus Thelesinus, secretarius.

Ludovicus Bondonius, magist. cæremoniarum.

Antonius Manellus, depositarius.

Cantores sacri Concilii.

Simon Bartholinus, Perusinus.

Joannes Aloysius de Episcopis, Neapolit.

Bartholomæus le Comte, Gallus.

Matthias Albo, de Fulgineo.

Franciscus Bustamente, Hispan.

Joannes Antonius Latinus, Beneventan.

Franciscus Druda, Galliensis.

Lucas Longinquus, Gisonensis.

Petrus Scorteccius, Aretinus.

Notarii.

Mar. Ant. Peregrinus, et Cynthius Pamphilus, de Sancto Severino.

Hieronymus Gambarus, Brixienensis Fomensis.

Cursores sanctiss. D. N. et sacri Concilii.

Nicolaus de Matthæis, et Jacobus Carra, Allobroges.

Numeras Prælatorum cujuscumque nationis qui ad œcumenicam Tridentinam Synodum convenere.

Prælati Itali,	187.	per procuratores,	2.
Prælati Galli,	26.	per procuratorem,	1.
Prælati Germani,	2.	per procuratores,	4.
Prælati Hispani,	31.	per procuratores,	4.
Prælati Lusitani,	3.		
Prælati Græci,	6.		
Prælati Poloni,	2.		
Prælati Hungari,	2.		
Prælati Angli,	1.		
Prælati Hiberni,	3.		
Prælati Flandri,	2.		
Prælati Croati,	1.		
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THE END.

